EXHIBIT A

(12) United States Patent Ignon et al.

(45) **Date of Patent: Jan. 24, 2017**

(10) Patent No.:

(54) CONSOLE SYSTEM FOR THE TREATMENT OF SKIN

(71) Applicant: **EDGE SYSTEMS LLC**, Signal Hill, CA (US)

(72) Inventors: Roger Ignon, Redondo Beach, CA

(US); Scott Mallett, Coto De Caza, CA (US); Abraham Solano, Corona, CA (US); William Cohen, Los Alamitos,

CA (US)

(73) Assignee: Edge Systems LLC, Signal Hill, CA

(US)

(*) Notice: Subject to any disclaimer, the term of this patent is extended or adjusted under 35

U.S.C. 154(b) by 0 days.

(21) Appl. No.: 14/698,673

(22) Filed: Apr. 28, 2015

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- (63) Continuation of application No. 13/267,554, filed on Oct. 6, 2011, which is a continuation of application (Continued)
- (51) **Int. Cl.**A61M 35/00 (2006.01)

 A61B 17/54 (2006.01)

 (Continued)
- (52) **U.S. CI.**CPC *A61M 35/003* (2013.01); *A61B 17/3205* (2013.01); *A61B 17/50* (2013.01); (Continued)

(58) Field of Classification Search

2017/00761;A61B 19/0248; A61B 2019/025; A61B 2217/005; A61B 2217/007; A61B 17/50; A61B 2017/320004; A61B 50/10; A61B 50/13; A61M 35/003; A61N 5/0616 See application file for complete search history.

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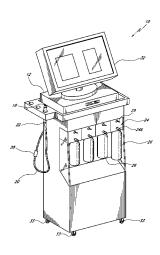
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(57) ABSTRACT

An apparatus for treating skin has a console with a user input device and a handpiece assembly. The handpiece assembly is configured to treat skin. A fluid line provides fluid communication between the console and the handpiece assembly. A manifold system is coupled to the console and controlled by the user input device. The manifold system is configured to hold releasably a plurality of fluid sources and deliver fluid from at least one of the plurality of fluid sources to the handpiece assembly.

17 Claims, 25 Drawing Sheets



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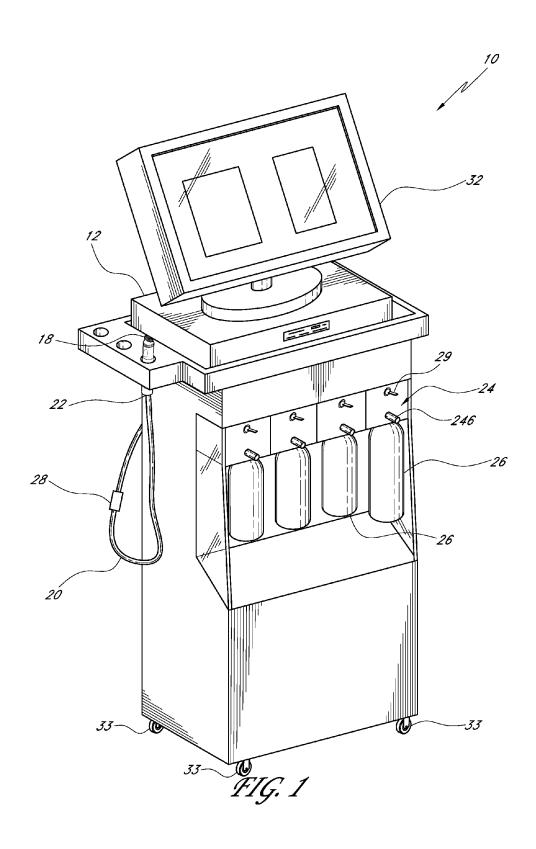
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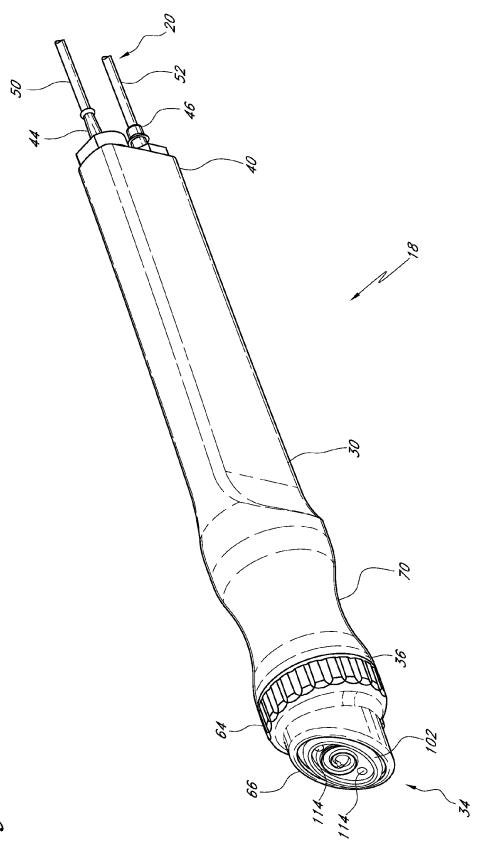
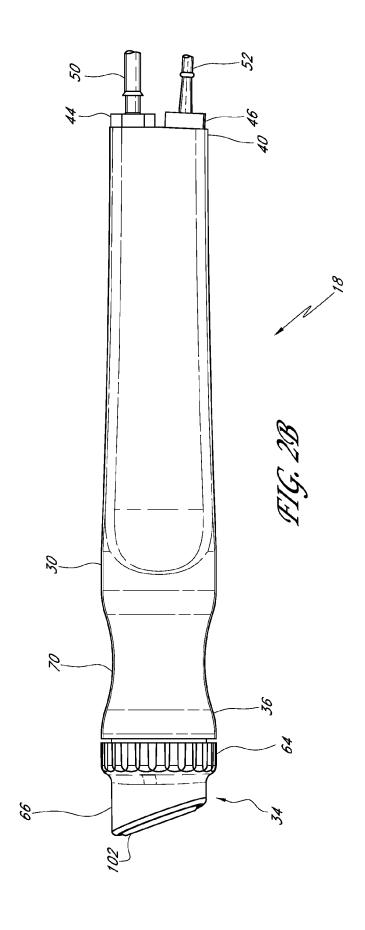


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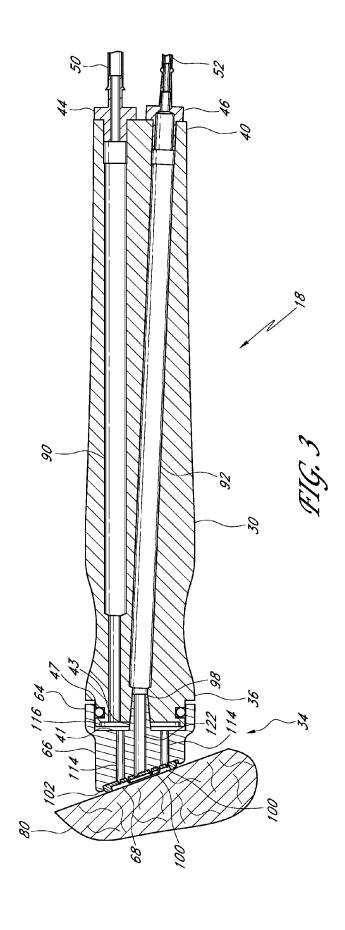
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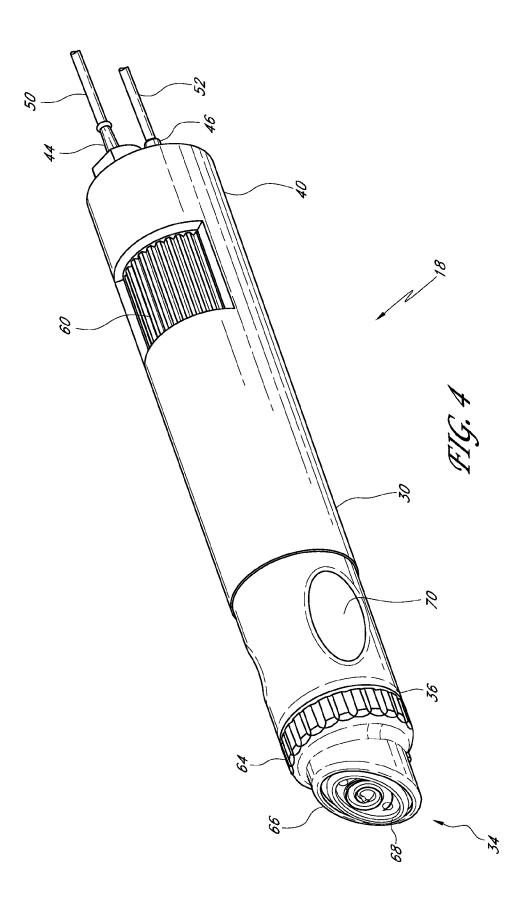
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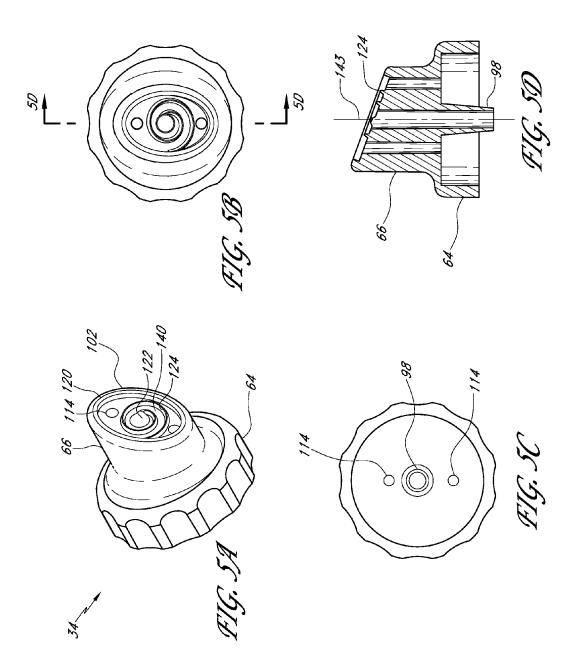
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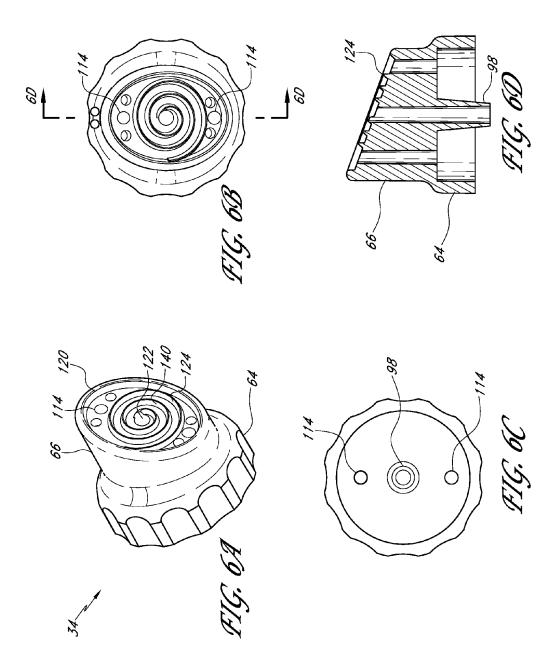
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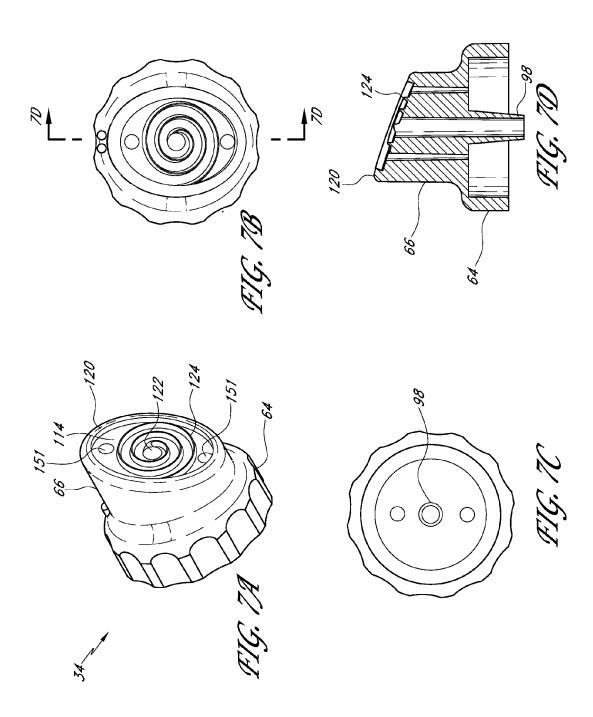
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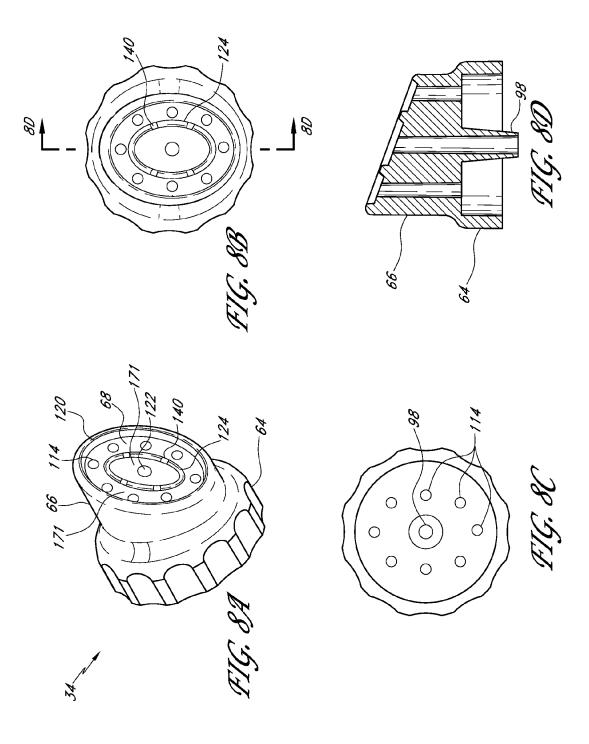
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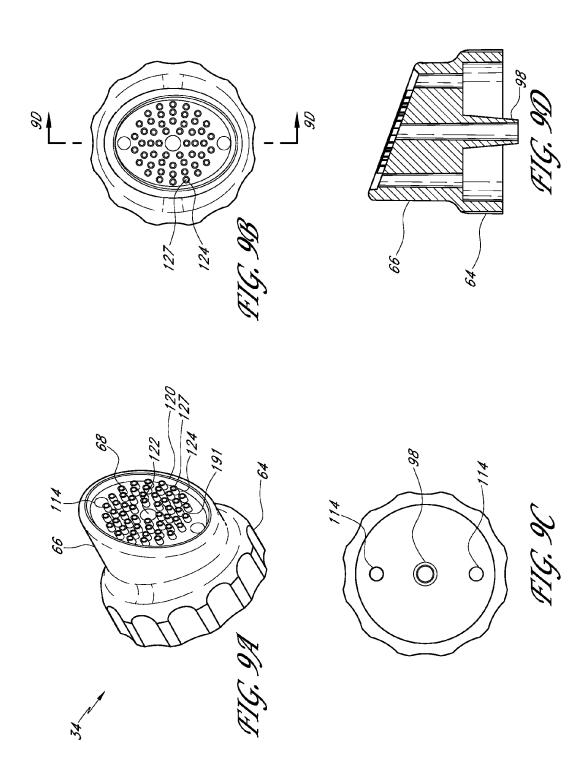
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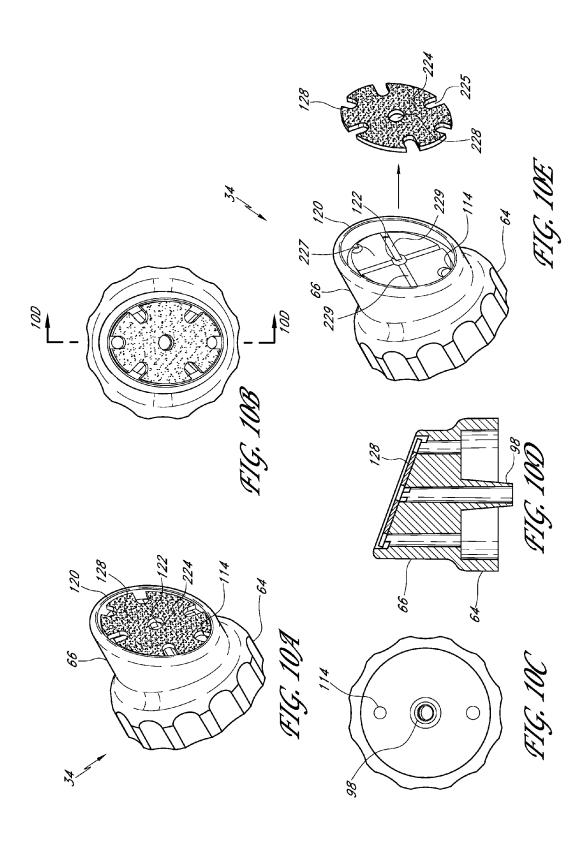
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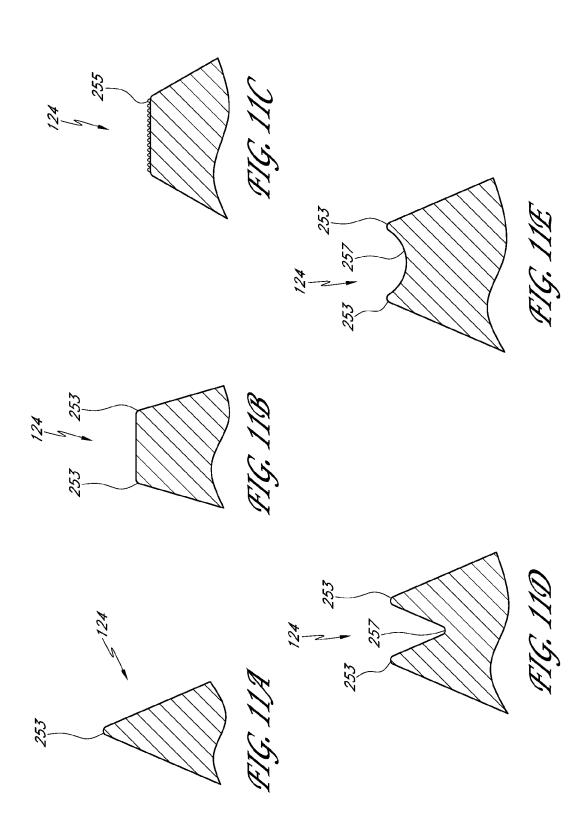
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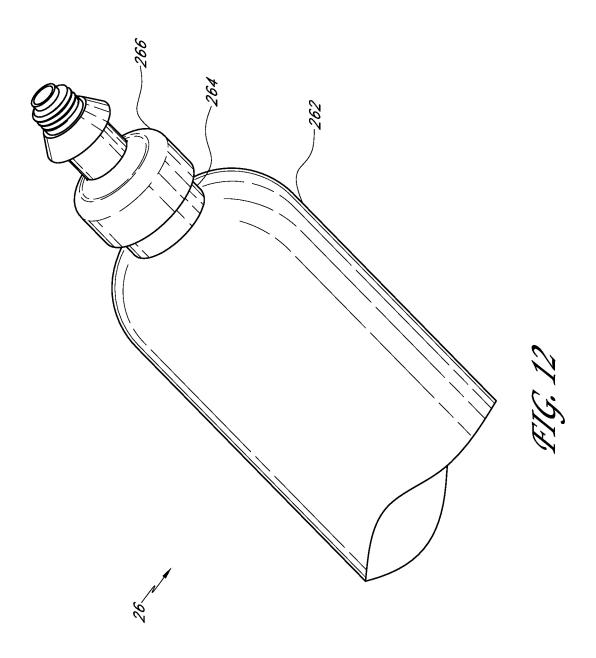
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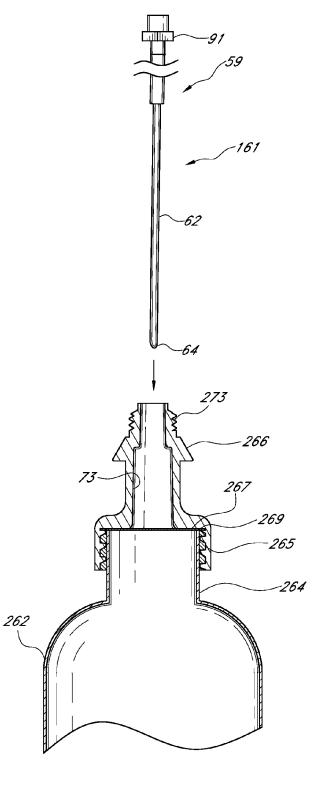
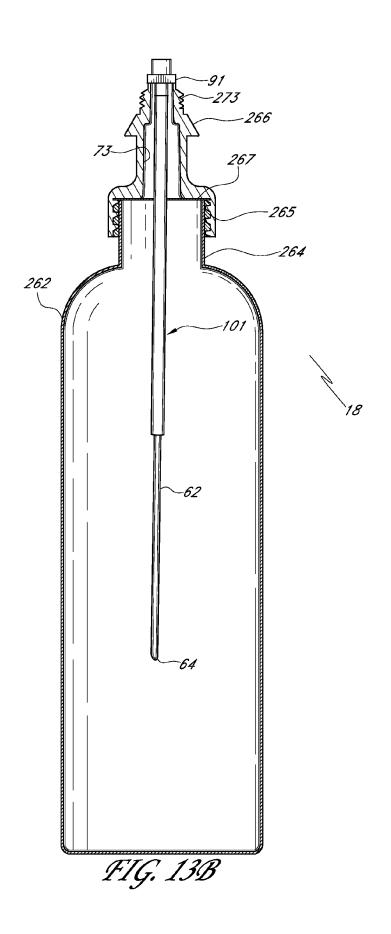


FIG. 13A

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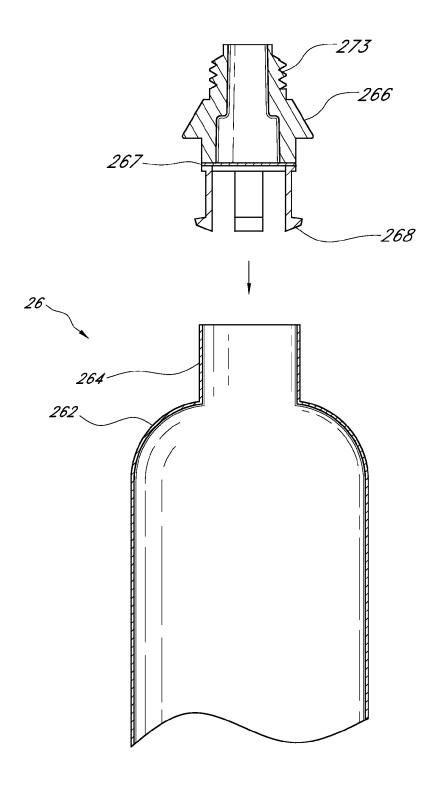


FIG. 14A

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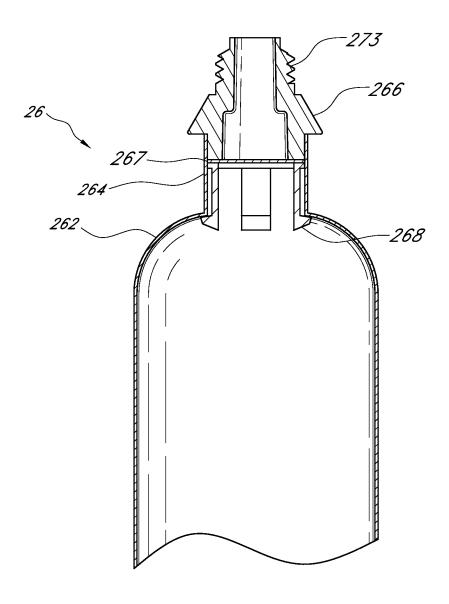
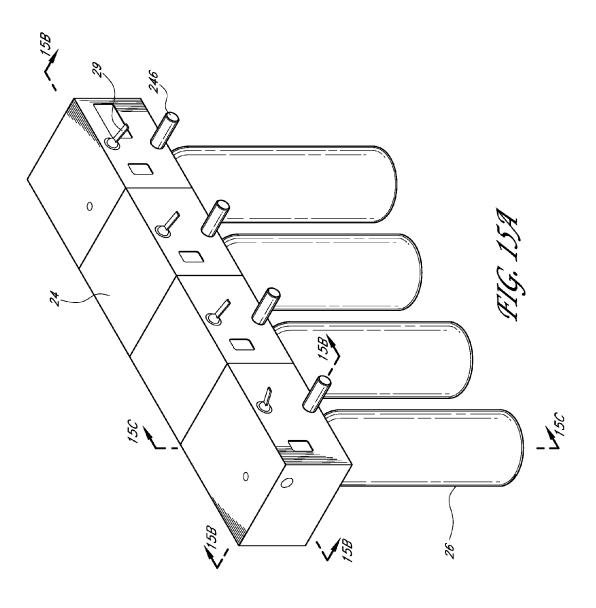


FIG. 14B

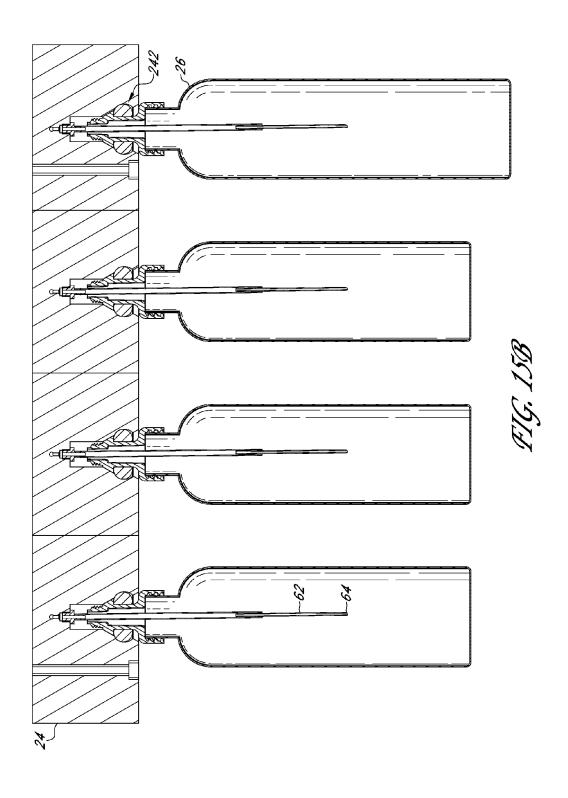
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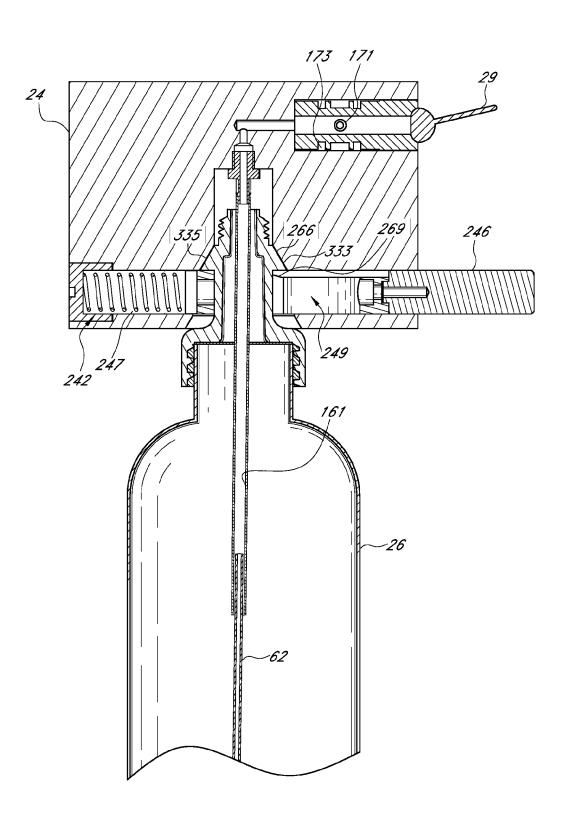


FIG. 15C

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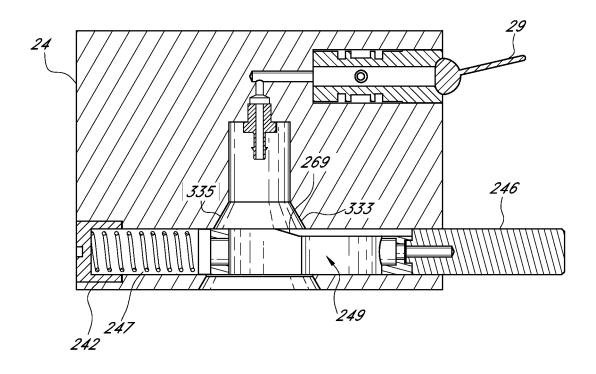
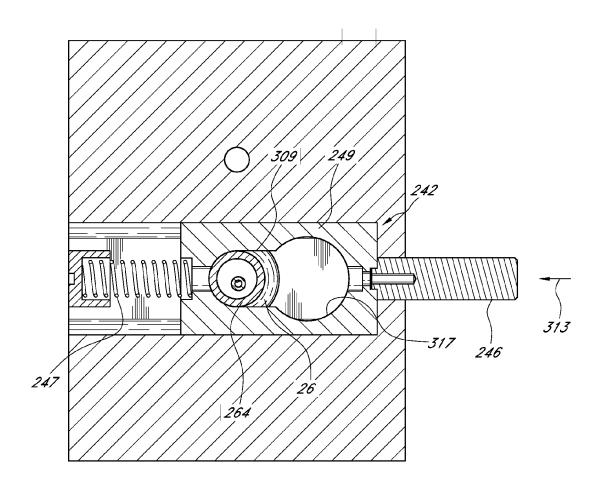


FIG. 15D

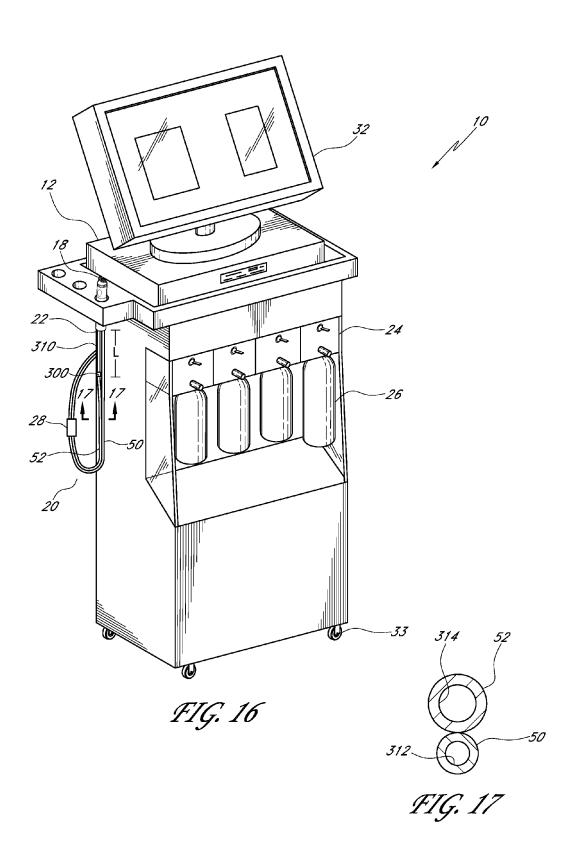
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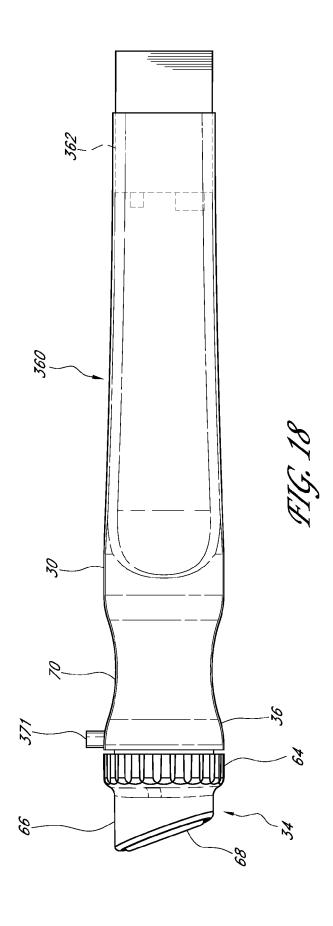
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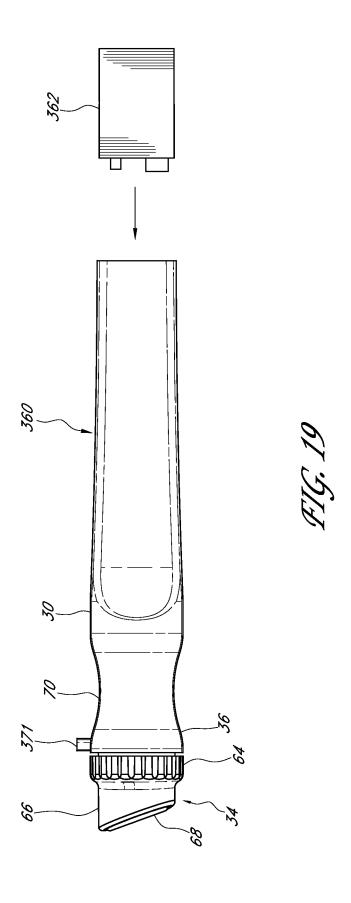
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CONSOLE SYSTEM FOR THE TREATMENT OF SKIN

CROSS-REFERENCE TO RELATED APPLICATIONS

This is a continuation of U.S. patent application Ser. No. 13/267,554, filed Oct. 6, 2011, which is a continuation of U.S. patent application Ser. No. 11/392,348, filed Mar. 29, 2006, which claims the benefit of U.S. Provisional Application No. 60/755,310, filed Dec. 30, 2005 and U.S. Provisional Application No. 60/764,668, filed Feb. 2, 2006, the entireties of all of the aforementioned applications are hereby incorporated by reference herein.

BACKGROUND

Field

The invention relates in general to the field of skin 20 treatment, and more specifically to apparatuses and methods for treating a person's skin.

Description of the Related Art

Abrasion of the outer layer or epidermis of the skin is desirable to smooth or blend scars, blemishes, or other skin 25 conditions that may be caused by, for example, acne, sun exposure, and aging. Standard techniques used to abrade the skin have generally been separated into two fields referred to as dermabrasion and microdermabrasion. Both techniques remove portions of the epidermis called the stratum corneum, which the body interprets as a mild injury. The body then replaces the lost skin cells, resulting in a new outer layer of skin. Additionally, despite the mild edema and erythema associated with the procedures, the skin looks and feels smoother because of the new outer layer of skin.

Dermabrasion refers to a procedure in which the surface of the skin is removed due to mechanical rubbing by a handpiece with an abrasive element that is often in the form of a burr, wheel, or disc. This process tends to be painful and messy. In fact, the procedure is sometimes painful enough to 40 require a local anesthetic. Dermabrasion leaves the skin red and raw-looking. The removed skin can take several months to regrow and heal. Recent efforts have led to the use of lasers instead of abrasive elements, which have resulted in less bleeding, but the pain and mess remains.

Efforts have been made to decrease the mess caused by the process waste, such as removed skin and blood, by adding a suction element. As the process waste is drawn into the suction opening, skin that has not been removed is also pulled against the grit surrounding the suction opening, so 50 the procedure remains fairly messy due to the abrasion that takes place outside of the handpiece by the grit.

Microdermabrasion refers generally to a procedure in which the surface of the skin is removed due to mechanical rubbing by a handpiece emitting a stream of sand or grit. For 55 example, a handpiece can be used to direct an air flow containing tiny crystals of aluminum oxide, sodium chloride, or sodium bicarbonate. The momentum of the grit tends to wear away two to three cell layers of the skin with each pass of the handpiece. Alternatively, new "crystal-free" 60 microdermabrasion techniques utilize a diamond-tipped handpiece without a stream of grit.

Efforts to add a suction element have been more successful in microdermabrasion than in dermabrasion because the handpiece applying the stream of grit is more controllable to 65 a localized area. That is, as the removed skin is drawn into the suction opening, skin that has not been removed is also

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pulled towards the handpiece where it is treated with the grit stream, allowing for simultaneous local treatment and suction

Microdermabrasion removes moisture from the skin, so the procedure is always followed by the application of moisturizing creams. However, similar to topical application of moisturizing creams prior to microdermabrasion, the moisturizing elements only work as deep as the active ingredients can passively migrate through the remaining epidermis.

SUMMARY OF THE INVENTION

In some embodiments, an apparatus for treating skin has a console with a user input device and a handpiece assembly. The handpiece assembly is configured to treat skin. A fluid line provides fluid communication between the console and the handpiece assembly. A manifold system is coupled to the console and controlled by the user input device, such as a computer, touchscreen, keyboard, and the like. The manifold system is configured to hold releasably a plurality of fluid sources and deliver fluid from at least one of the plurality of fluid sources to the handpiece assembly.

In some embodiments, a tip comprising a skirt portion is configured to couple to a handpiece for treating a target area on a patient's skin. A central body portion is coupled to the skirt portion. A first passage extends through the central body portion and is configured to receive a fluid from the handpiece. At least one second passageway extending through the central body portion and is configured to convey the fluid back into the handpiece. An inner member extends in a generally spiral fashion across at least a portion of a distal face of the central body portion. The inner member defines a channel between the first passage and the at least one second passage. When the tip is place against the skin, a chamber can be formed by the channel and the person's skin.

In some embodiments, a method of treating a target region on a patient's skin comprises providing a tip including a first aperture and at least one second aperture. At least one inner member on the surface of the tip defines at least one channel between the first aperture and the at least one second aperture. An outer member is disposed on the surface of the tip. The outer member engages the target with the tip. A treatment fluid flows distally through the first aperture region and through the at least one channel. The treatment fluid flows proximally through the at least one second aperture.

In some embodiments, a tip comprises a skirt portion configured to couple to a handpiece for treating a target on a patient's skin. A central body portion is coupled to the skirt portion and includes a mounting region substantially opposite the skirt portion. The mounting region configured to receive a pad for treating the skin. A first aperture extends through the skirt portion and the central body portion and configured to receive a fluid from the handpiece. At least one second aperture extending through the skirt portion and the central body portion and configured to convey the fluid back into the handpiece.

In some embodiments, a method of treating a target region of a patient comprises providing a tip including a first aperture, at least one second aperture, and a distal end configured to receive a pad. In some variations, the first pad is attached to the distal end. The tip is engaged with the target region.

In some embodiments, a manifold system comprises a body portion configured to receive releasably at least two 3

bottles. The manifold is configured so that it can be coupled to a console. The console includes a handpiece for treating skin. At least one elongate member is in communication with a pump and configured to extract a fluid from one of the at least two bottles. At least one switch is configured to 5 permit or inhibit a flow of the fluid from one of the at least two bottles through the pump. In some variations, the elongate member is dimensioned to fit within one of at least two bottles to draw fluid out of the bottle.

In some embodiments, a method of treating a target region 10 on a patient's skin comprises engaging a tip with the patient's skin such that an effective amount of skin is removed by the tip. In some variations, the tip is a dry tip. After removing an effective amount of skin, another tip (e.g., a wet tip) engages the patient's skin such that an effective 15 amount of skin is removed by the tip. In some variations, acid is delivered out of the wet tip to facilitate skin removal. In some variations, the wet tip includes a first aperture, at least one second aperture, at least one inner member on the surface of the tip defining at least one channel between the 20 first aperture and the at least one second aperture, and an outer member on the surface of the tip. In some variations, treatment fluid flows outwardly along the channel. In some variations, treatment fluid flows inwardly along the channel. In some variations, the wet tip comprises an abrasive pad. 25

In some embodiments, a method of treating a target region on a patient's skin comprises engaging a first skin treatment tip with the patient's skin. A first material is delivered out of the first skin treatment tip to a target region. A second skin treatment tip engages the target region while the first mate- 30 rial effectively facilitates exfoliation with the second skin treatment tip. In some variations, the first material comprises an acid, hydrator, and combination thereof. In some variations, the first skin treatment tip is configured to remove skin at a different rate than the second skin treatment tip. In some 35 variations, the first skin treatment tip is configured to exfoliate at a higher rate than the second skin treatment tip. In some variations, material is delivered out of the second treatment tip to the target region of the patient's skin.

The apparatus for treating skin can dispense treatment 40 material that is held in containers, such as bottles, bags, pouches, or other suitable structures for holding and storing material. These containers can be non-refillable or refillable. The treatment material can be delivered by gravity feed, pumps, or suction devices. The manifold system can be used 45 bers that can be used to exfoliate skin. to control fluid flow from a plurality of containers to one or more handpieces.

BRIEF DESCRIPTION OF THE DRAWINGS

Having thus summarized the general nature of the invention, certain preferred embodiments and modifications thereof will become apparent to those skilled in the art from the detailed description herein having reference to the figures that follow.

- FIG. 1 is a perspective view of one embodiment of a skin treatment system.
- FIG. 2A is a perspective view of one embodiment of a handpiece assembly for use with the skin treatment system of FIG. 1.
- FIG. 2B is a side elevational view of the handpiece assembly of FIG. 2A.
- FIG. 3 is a longitudinal cross-sectional view of the handpiece assembly of FIG. 2B. The handpiece assembly is engaging a person's skin.
- FIG. 4 is a perspective view of another embodiment of a handpiece assembly.

FIG. 5A is a perspective view of one embodiment of a tip that can be coupled to a main body of a handpiece assembly to treat a person's skin.

FIG. 5B is a top elevational view of the tip of FIG. 5A. FIG. 5C illustrates a bottom elevational view of the tip of

FIG. 5D is a cross-sectional view of the tip of FIG. 5B taken along the line 5D-5D.

FIG. 6A is a perspective view of a tip in accordance with another embodiment.

FIG. 6B is a top elevational view of the tip of FIG. 6A. FIG. 6C is a bottom elevational view of the tip of FIG. 6A. FIG. 6D is a cross-sectional view of the tip of FIG. 6B taken along the line 6D-6D.

FIG. 7A is a perspective view of a tip in accordance with another embodiment.

FIG. 7B is a top elevational view of the tip of FIG. 7A. FIG. 7C is a bottom elevational view of the tip of FIG. 7A. FIG. 7D is a cross-sectional view of the tip of FIG. 7B taken along the line 7D-7D.

FIG. 8A is a perspective view of yet another embodiment of a tip for treating a person's skin.

FIG. 8B is a top elevational view of the tip of FIG. 8A. FIG. 8C is a bottom elevational view of the tip of FIG. 8A. FIG. 8D is a cross-sectional view of the tip of FIG. 8B taken along the line 8D-8D.

FIG. 9A is a perspective view of still another embodiment of a tip that can be coupled to a main body of a handpiece

FIG. 9B is a top elevational view of the tip of FIG. 9A. FIG. 9C is a bottom elevational view of the tip of FIG. 9A. FIG. 9D is a cross-sectional view of the tip of FIG. 9B taken along the line 9D-9D.

FIG. 10A is a perspective view of another embodiment of a tip for treating a person's skin.

FIG. 10B is top elevational view of the tip of FIG. 10A. FIG. 10C is bottom elevational view of the tip of FIG.

FIG. 10D is a cross-sectional view of the tip of FIG. 10B taken along the line 10D-10D.

FIG. 10E is a perspective exploded view of the tip of FIG. 10A, wherein a pad is spaced from a tip main body.

FIGS. 11A-11E are cross-sectional views of inner mem-

FIG. 12 is a perspective view of a bottle for use with the skin treatment system of FIG. 1.

FIG. 13A is a cross-sectional view of one embodiment of a bottle spaced from an insertion tip assembly.

FIG. 13B is a cross-sectional view of the bottle of FIG. 12A coupled with the insertion tip assembly.

FIG. 14A is a cross-sectional view of a closure and a

FIG. 14B is a cross-sectional view of the closure and 55 bottle of FIG. 14A when assembled.

FIG. 15A is a perspective view of one embodiment of a manifold system holding a plurality of bottles.

FIG. 15B is a cross-sectional view of the manifold system of FIG. 15A taken along the line 15B-15B of FIG. 15A.

FIG. 15C is a cross-sectional view of the manifold system of FIG. 15A taken along the line 15C-15C of FIG. 15A.

FIG. 15D is a cross-sectional view of the manifold system of FIG. 15C wherein the bottle has been removed.

FIG. 15E is a cross-sectional elevational view of the 65 manifold system.

FIG. 16 is a perspective view of another embodiment of a skin treatment system.

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FIG. 17 is a cross-sectional view of a fluid line of the skin treatment system of FIG. 16 taken along the line 17-17.

FIG. 18 is a side elevational view of a handpiece assembly with a removable cartridge.

FIG. **19** is a side elevational view of the handpiece ⁵ assembly and removable cartridge of FIG. **18**, the cartridge is shown removed from the handpiece assembly.

DETAILED DESCRIPTION OF THE PREFERRED EMBODIMENT

FIG. 1 illustrates a skin treatment system 10 that can be used to perform one or more treatments on a person's skin. The illustrated skin treatment system 10 includes a console 12 and a handpiece assembly 18 connected to the console 12 is via a line 20. A manifold system 24 can control the flow of treatment material from containers 26 into and through the line 20. The treatment material can be discharged out of the handpiece assembly 18 to treat a person's skin. The skin treatment system 10 can be used at a hospital, health care 20 physicality, residences, or any other suitable location.

As explained in more detail below, the handpiece assembly 18 is applied to the target area of the patient to perform skin treatment(s). As used herein, the term "skin treatment" is a broad term and includes, but is not limited to, skin 25 removal, skin abrasion (e.g., dermabrasion, microdermabrasion, etc.), ablating or slicing skin (preferably a thin layer of skin), stimulation (including thermal, mechanical, electrical, and/or chemical stimulation), mesotherapy, isophoresis, light therapy, vacuum therapy, and the like. Preferably, the 30 handpiece assembly 18 administers a treatment material from at least one of the containers 26 through the line 20 to the target area of the skin while the handpiece assembly 18 engages the skin.

As used herein, the term "treatment material" is a broad 35 term and includes, but is not limited to, medicament, a substance tending to flow or conform to the outline of its container such as fluid, gas, liquid (e.g., serums, water, saline, etc.), gel, fluidized material, additives, and/or a plurality of fine solids. The general term "fluid" is used 40 throughout synonymously with the term "treatment material" and is to be given the same broad definition. The handpiece assembly 18 can preferably massage, abrade, ablate, or otherwise treat the target skin area while also applying a treatment material to the patient. In certain 45 embodiments, the treatment material and tip of the handpiece 18 can work in combination for an effective and rapid skin treatment. Additionally, any number of "dry" and "wet" tips can be used alone or in combination for treatment flexibility.

With continued reference to FIG. 1 the line 20 is configured to provide fluid communication between the containers 26 and the handpiece assembly 18. The line 20 can comprise one or more conduits extending between the console 12 and the handpiece assembly 18. In certain embodiments, the line 55 20 includes a supply line and a waste line for delivering and returning material, respectively, as detailed below.

The distal end 22 of the line 20 is connected to the handpiece assembly 18. Preferably, the line 20 includes a filter 28 that removes contaminants or impurities from the 60 treatment material passing through the line 20. In other embodiments, the filter 28 is located in the console 12 or the manifold system 24. The console 12 can be connected to a power source such as an AC outlet. The power source can power the handpiece assembly 18 and/or other components 65 of the skin treatment system 10, such as, for example, pumps, valves, and the like.

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In the illustrated embodiment, the console 12 comprises four casters 33 to allow for easy movement, for example, from one treatment room to another treatment room. In such an embodiment, the console 12 can be conveniently rolled on a support surface. Other means of transportation can also be employed or the console 12 can be stationary. In some embodiments, the console 12 is portable for convenient transport.

The illustrated containers 26 of FIG. 1 are preferably 10 releasably coupled to the manifold system 24. The manifold system 24 can deliver treatment material from the containers 26 to the line 20 as mentioned above. In certain embodiments, the console 12 has a user input device 32 for selecting a treatment material to be passed through the line 20 to the handpiece assembly 18. During some skin treatment procedures, treatment materials from multiple containers 26 are sequentially or simultaneously applied to the patient's skin during a "wet" mode of operation. Alternatively, the skin treatment system 10 can be used to deliver a single treatment material to the patient's skin. In some embodiments, the console 12 can be used for a "dry" mode of operation. That is, the console 12 can be used to exfoliate skin, for example, without delivering little or substantially no treatment fluid. The skin treatment system 10 can thus provide flexibility in selecting a treatment plan.

Multiple handpieces assemblies 18 and/or tips 34 can be used during a single skin treatment procedure in a wet and/or dry mode of operation. For example, a first handpiece assembly 18 may be employed to treat a patient's face and neck while a second handpiece assembly 18 may be employed to treat other larger areas of the patient's body. Thus, different handpieces 18 can be used to treat different regions of a person's body. The configurations of the handpieces 18 and tips can be selected based on the treatment material to be applied, desired interaction with the patient's skin, size of treatment area, skin condition, and the like.

With reference to FIGS. 2A and 2B, the handpiece assembly 18 includes a main body 30 and a tip 34. The handpiece assembly 18 can be conveniently held within the hand of a user so that the user can place the tip 34 in operative engagement with a person's skin. The user is typically an aesthetician (e.g., an aesthetician allowed to perform microdermabrasion), doctor, and other medical personnel, such as a physician assistant and nurse practitioner. In some cases, the user is the person whose skin is being treated.

The main body 30 has contoured portions 70 at its distal end 36 so that the user can comfortably grip the handpiece assembly 18 during use. The main body 30 can have other designs to provide a comfortable grip. FIG. 2A illustrates an embodiment in which the main body 30 is substantially flat on two opposing sides. FIG. 4 illustrates an embodiment in which the main body 30 is generally cylindrical.

As noted above, the tip 34 can be pressed against a patient's skin to perform a skin treatment. The distal end 102 of the tip 34 may be angled with respect to the handpiece assembly 18 to increase the contact area with the patient's skin without enlarging the handpiece assembly 18 for an ergonomic and comfortable design. The angled tip 34 can lay flat on the skin while the main body 30 is angled to the skin. The angle between the face of the distal end 102 and the longitudinal axis of the handpiece assembly 18 can be selected based on the desired size of the face of the distal end 102. In alternative embodiments, the face of the distal end 102 is generally perpendicular to the longitudinal axis of the main body 30.

The tip **34** can be permanently or temporarily coupled to the distal end **36** of the main body **30**. In some embodiments,

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the tip 34 is disposable. As used herein, the term "disposable," when applied to a system or component (or combination of components), such as a tip, container, or pad, is a broad term and means, without limitation, that the component in question is used a finite number of times and then discarded. Some disposable components are used only once and then discarded. Other disposable components are used more than once and then discarded. In some embodiments, the tip 34 is removably coupled to the main body 30 such that the tip may be removed from the main body 30 and 10 thrown away to avoid cross-contamination. In other embodiments, the tip 34 is a reusable tip that can be cleaned, for example by autoclaving, after each use. The tip 34 can thus be used for any number of procedures as desired.

With reference to FIGS. 2A and 2B, the proximal end 40 15 of the main body 30 is operatively connected to the line 20. In the embodiment illustrated, the line 20 includes an output line 50 for removing waste from the handpiece assembly 18 and an input line 52 for delivering treatment material to the handpiece assembly 18. The proximal end 40 of the main 20 body 30 includes a plurality of connectors 44, 46, each connected to one of the conduits 50, 52. The illustrated input line 52 is connected to the connector 46, and the output line 50 is connected to the connector 44.

The input line **52** delivers treatment material from at least 25 one of the containers **26** to the connector **46**. The fluid then flows through the main body **30** and ultimately to the tip **34**. As shown in FIG. **3**, the main body **30** comprises a plurality of lumens **90**, **92** in a fluid communication with the tip **34**. Fluid from the input line **52** can flow through the input lumen **92** to the tip **34**. The fluid then flows out of the tip **34** to a target skin area. The fluid is then trapped in the space **100** between the skin **80** and the tip **34**. To remove the fluid, the fluid flows proximally through the lumen **90** to the output line **50**. The fluid passes through the output line **50** and into 35 the console **12**. As such, fluid can continuously or intermittently flow through the handpiece assembly **18**.

To treat the person's skin 80, the handpiece assembly 18 can also be moved relative to the skin 80 such that the tip 34 maintains engagement with the skin 80. The illustrated tip 40 34 is configured to massage the skin 80 while also providing fluid communication with the skin 80. As detailed below in connection with FIGS. 5A through 10, the tip can include sharp planing blades, blades (e.g., razor blades), raised sharp areas, molded posts, grits, or other structures for treating 45 skin, as detailed below.

When the tip 34 and treatment material are used in combination, the handpiece assembly 18 preferably exfoliates dead skin cells and extracts impurities by applying a vacuum while simultaneously bathing the healthy underlying skin with active treatment material. The active treatment material can facilitate cleansing, exfoliating, hydrating, and/or provide residual antioxidant protection. The treatment material and tip 34, alone or in combination, can effectively and rapidly treat the target skin area. The waste material, 55 including the used treatment material, removed skin, and/or grit, can then be drawn back through the tip 34, the main body 30 via lumen 90, and into the connector 44. The waste then flows into the output line 50 for subsequent disposal, as detailed below in connection with FIG. 4.

In some embodiments, including the illustrated embodiment of FIG. 3, the tip 34 has a tip connector 98 (see FIGS. 5C and 5D) that mates with the lumen 92. The tip 34 can provide fluid communication from the tip connector 98 to the space 100 via a through-hole 122. One or more throughholes 114 define fluid passageways through the tip 34 between the space 100 and the intermediate chamber 116.

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The intermediate chamber 116 can be interposed between the through-holes 114 and the lumen 90. The intermediate chamber 116 is preferably defined by the distal face 43 of the main body 30 and the proximal face 41 of the tip 34. The intermediate chamber 116 can provide equalization of fluid between the tip 34 and the body 30. As such, a generally equal vacuum is applied to both through-holes 114. The fluid can flow through the through-holes 114, into the intermediate chamber 116, and then into the lumen 90. In some embodiments, however, the fluid flows directly from the through-holes 114 to the lumen 90 without passing through an intermediate chamber 116.

The tip 34 can have one or more sealing members to form a fluidic seal between the tip 34 and the main body 30. The illustrated main body 30 includes a sealing member 47 that engages the inner surface of the skirt 64 of the tip 34. The sealing member 47 can be a compliant member comprising rubber, polymer, plastic, or other suitable material for forming seals. In some embodiments, the sealing member 47 is an O-ring made of rubber.

With continued reference to FIG. 3, during use, treatment material can flow distally through the lumen 92 into the through-hole 122. The treatment material then proceeds through and out of the through-hole 122 into the space 180. Preferably, the treatment material spreads radially outward to the peripheral through-holes 114. The material can then flow through the through-holes 114 into the lumen 90 for subsequent removal.

In alternative embodiments, the fluid flows in the opposite direction. That is, the line 50 delivers fluid through the lumen 90 into the tip 34. The fluid flows through the intermediate chamber 116 and the through-holes 114. The fluid then flows to the chamber 100 and inwardly through the tip connector 98 to the lumen 92. The fluid proceeds proximally along the lumen 92 and ultimately into the line 52.

In yet another embodiment, the handpiece assembly 18 comprises two or more input lumens 90. Such a design allows mixing of two or more treatment materials within the handpiece assembly 18 or space 100, which would be useful for treatments with fluids that react or are unstable or degrade when stored or mixed.

As depicted in FIG. 4, the handpiece assembly 18 can optionally include a controller 60 that is configured to control the fluid flow out of the tip 34. The illustrated controller 60 can be operated to increase or decrease the flow rate of treatment fluid out of the tip 34. Alternatively or additionally, the controller 60 may control the flow rate of waste fluid flowing through the handpiece assembly 18 to the output line 50. When control of the waste treatment fluid and waste fluid is independent, the detention time of the fluid in the tip 34 may be adjusted as desired.

The illustrated controller **60** is a generally cylindrical body that is pivotally connected to the main body **30**. FIG. **4** illustrates an embodiment in which the controller **60** is recessed into and partially hidden by the main body **30**, although in other embodiments the controller **60** may encircle the main body **30**. The controller **60** may include textured grooves to provide for easier manipulation. In some embodiments, the controller **60** is located near the distal end **36** of the handpiece assembly **18** proximal or distal of the controller **60** can be selected based on the design of the handpiece assembly **18**. The controller **60** can also be a rotatable knob or handle, digital controller, and the like.

The handpiece assembly 18 can also include one or more flow rate controllers within the main body 30 that cooperate

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with the controller 60 to adjust the fluid flow out of the tip 34. For example, the controller 60 may comprise a flow control valve such as a globe valve, butterfly valve, needle valve, or variable orifice. Other types of flow rate controllers can also be used, such as an electrically controlled solenoid 5 valve. In embodiments where the fluid flow is electronically controlled, the valve system may alternatively be located in the console 12 or manifold system 24. Separate devices can also be used to control the flow of treatment material. For example, clamps, pinch valves, or other suitable devices can 10 be used to control fluid flow through the lines 50, 52.

Various types of tips 34 can be used with the handpiece assemblies 18 illustrated in FIGS. 1 to 4. FIGS. 5A through 10E illustrate embodiments, for example, of tips 34 that can be used with these handpiece assemblies 18. These tips 34 15 can be interchangeable to provide maximum treatment flexibility.

As shown in FIGS. 5A through 10E, the tip 34 comprises the skirt 64 and a tip main body 66 extending outwardly therefrom. The skirt 64 is preferably configured to provide 20 a gripping surface suitable for applying leverage or force sufficient to remove the tip 34 from the main body 30. In some embodiments, the skirt 64 includes internal threads such that it can be mechanically coupled to external threads on the distal end 36 of the main body 30. In some embodiments, the tip 34 can be press fit onto the main body 30. Frictional forces can retain the tip 34 to the main body 30.

With respect to FIGS. 5A through 7, the tip 34 comprises an outer member 120 and an inner member 124. The outer member 120 preferably defines the periphery of the distal 30 end 102 of the tip 34. When the tip 34 is placed against skin, the outer member 120 can inhibit fluid flow between the tip 34 and the skin and define the outer portion of the space 100.

The inner member 124 is preferably spaced from the outer member 120 to define one or more channels. The illustrated 35 outer member 120 defines a continuous channel 140 that extends outwardly from the central through-hole 122 towards at least one of the outer through-holes 114. The inner member 120 can form the sidewalls of the channel 140. Any suitable configuration of channels 140 can be used 40 to provide fluid flow along a flow path. The illustrated channels 140 have a somewhat U-shaped axial cross-sectional profile, as depicted in FIG. 8A. The channel 140 can have a V-shaped, curved, or any other suitable cross sectional profile. A flow path between the through-holes in the 45 tip 34 can be defined at least in part by the channels.

The spiral-like pattern of the inner members **124** in FIGS. 5 through 7 varies. For example, the inner member 124 in FIG. 5 extends about a longitudinal axis 143 of the tip 34 approximately one and a half times, the inner member 124 50 in FIG. 6 extends about the tip 34 approximately two and a half times, and the inner member 124 in FIG. 7 rotates about the tip 34 approximately one and three quarters times. In some embodiments, the inner member 124 subtends an angle of about 70° , 135° , 180° , 210° , 225° , 270° , 315° , 360° , 55 and angles encompassing such ranges. In yet other embodiments, the inner member 124 subtends an angle of about 405°, 450°, or 495°. The tightness of the spiral in combination with the location and number of through-holes 114 affects the detention time of the fluid in the channel 140. 60 Generally, a tighter spiral results in a longer the pathway (i.e., the length of the channel 140) from delivery throughhole 122 to the return through-holes 114. Fluid traveling down the longer pathway is in contact with the person's skin 80 for a longer period of time. Thus, tighter spirals lead to 65 increased contact time between the fluid and the skin 80. These longer contact times can increase the effectiveness of

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the fluid because the skin can absorb an adequate amount of active ingredients of the treatment material. Fluid retention time on the patient's skin can be increased to increase hydration, serum retention, and the like. Shorter pathways can be used to reduce contact time between the fluid and the patient's skin. In some embodiments, for example, the tip 34 of FIGS. 5A to 5D has a relatively short pathway to limit absorption of fluids, achieve relatively high flow rates, and the like.

Additionally, the inner members 124 can be configured to remove tissue. The inner member 124 can be an abrasive member designed to remove tissue when the inner member 124 slides along a person's skin. The user may select a tip 34 based on the appropriate detention time and abrasiveness for the treatment being applied. For example, the tip 34 illustrated in FIG. 7 will provide less abrasion than the tip illustrated in FIG. 6, but the tip 34 illustrated in FIG. 7 will provide a longer detention time than the tip 34 illustrated in FIG. 5

The illustrated tip 34 includes a generally continuous inner member 124 that extends from near the through-hole 122 towards at least one of the through-holes 114. In other embodiments, the tip 34 can have a plurality of inner members 124. For example, the inner members 124 can be linear, curved, and may be continuous or discontinuous.

The handpiece assembly 18 can be moved while the spiral-like inner member 124 engages the patient's skin. The movement of the handpiece assembly 18 can increase the effectiveness of the treatment material expelled out of the tip 34. In some embodiments, for example, the tip 34 can be used with a lifting treatment material that facilitates extractions of, for example, sebum, blackheads, skin, or other substances (e.g., oils, dead skin, etc.). The lifting treatment extraction producer can unclog pores to improve the treated skin's overall appearance. To facilitate extractions, the handpiece assembly 18 can be twisted or rotated while the tip 34 is pressed against the patient's skin. The twisting action and the lifting treatment material can work in combination for effective extractions. In alternative embodiments, a handpiece assembly 18 can also be used without a lifting treatment material for extractions by employing the twisting

In certain embodiments, the spiral-like tip 34 massages the skin 80. In other embodiments, the spiral-like tip 34 ablates the skin 80. For example, the inner members 124 may act as blades to cut thin layers from the skin 80 when the user twists the handpiece assembly 18. Twisting the handpiece assembly 18 causes the tip 34 to rotate about the twisting axis, rotating the sharp inner members 124 against the skin 80, which causes ablation. Thin layers of skin can thus be removed by the handpiece assembly 18. Additionally or alternatively, the spiral-like tip 34 may plane along skin when a fluid is applied to the skin. The planing tip 34 can remove a thin layer of the skin (e.g., the stratum corneum, preferably hydrated stratum corneum). Accordingly, the user can use the handpiece assembly 18 to remove a particular amount of skin.

A vacuum can be applied by the handpiece assembly 18. For example, the console 12 can have a pump that applies a vacuum via the output line 52. The negative pressure draws waste material into the through-holes 114 and out of the handpiece assembly 18. When the tip 34 engages the patient's skin, the vacuum can draw the skin against the tip 34 to enhance the effectiveness of the inner members 124. The vacuum can be increased or decreased to increase or decrease, respectively, for example, frictional forces, depth of cutting, amount of abrasion, and the like. To rapidly

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remove skin, a strong vacuum can be applied to the person's skin so that the skin is pulled against the inner member 124. The vacuum can also facilitated removal of the waste fluid captured between the tip 34 and the patient's skin. A vacuum can also be used in combination with the tips illustrated in 5 FIGS. 1-10E. The vacuum can also be varied based on the thickness, compliance, and other properties of the skin surface

The tip 34 can have any suitable number of through-holes 114, 122 to achieve the desired fluid flow between the skin 10 80 and the tip 34. For example, FIG. 5A to 5D illustrate an embodiment with two through-holes 114. The number of through-holes 114, 122 can be chosen based on the cross-sectional areas of the through-holes 114, 122 and the expected flow rate of the fluid through the channel 100. 15 Preferably, one end of through-holes 114 is positioned between the inner member 124 and the outer member 120. In some embodiments, including the embodiments illustrated in FIGS. 5A through 7, the through-holes 114 are positioned generally midway between the outer member 120 and inner member 124.

The tips can also have one or more energy sources for delivering energy to the skin. Radiant energy, heat, and the like can be delivered to the skin by the tips. The tip 34 illustrated in FIGS. 6A to 6D has a pair of energy sources 25 151 in the form of LEDs. When the tip 34 is proximate the patient's skin, the LEDs 151 can deliver a desired amount of energy to the skin. The illustrated tip 34 has four LEDs; however, any number of LEDs can be employed.

In alternative embodiments, the tips can carry deployable 30 material. The structure **151** can be in the form of a cavity or pocket that contain and carry material that is released when it engages the treatment fluid. The material in the cavities **151** can be made of any of the treatment materials disclosed herein, and can be in a solid form. For example, the cavities 35 can hold lubricant or soap that is released when the tip is applied to skin.

FIGS. 8A through 8D illustrate another embodiment of a tip 34 when the inner member 124 includes a ring with perforations 140 that provide fluid communication between 40 the through-hole 122 and through-holes 114. A space 100 can be defined between the inner member 124, perforations 140, and outer member 120 when the tip 34 is in operative engagement with the skin 80. FIG. 8C illustrates an embodiment with eight through-holes 114. In the embodiment 45 illustrated in FIGS. 8A through 8D, the inner member 124 forms recessed regions 171, allowing for a larger area of fluid contact with the skin 80 then the tips 34 illustrated in FIGS. 5 through 7.

FIGS. 9A through 9D illustrate another embodiment of a 50 tip 34 comprising an outer member 120 and an array of protruding inner members 124. A recessed region 191 is defined between the inner members 124 and the outer member 120. The inner members 124 of FIGS. 9A to 9D can be posts that are similar to the inner members described 55 above. The post 124, for example, can have relatively sharp edges. These edges can be used to remove skin. In some embodiments, the inner members 124 can have relatively sharp planing blades. The tip 34 illustrated in FIGS. 9A through 9D allows for more freedom of movement of the 60 treatment fluid. The protruding inner members 124 preferably abrade the skin differently than the tips 34 illustrated in FIGS. 5A through 8. Rather than being able to ablate large sections of the skin 80 like a blade, as the tips 34 in FIGS. 5A-8 can do in certain embodiments, the plurality of pro- 65 truding inner members 124 can ablate or roughen a plurality of smaller sections of the skin 80.

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The protruding member 124 can optionally contain treatment material. For example, the protruding members 124 can be generally cylindrical members having a passageway or chamber 127 that holds treatment material. Thus, fluid can be used in combination with treatment material coupled to the tip 34.

With reference to FIGS. 5A through 9, the inner member 124 preferably has a height from the distal surface that is generally less than the height of the outer member 120. In some non-limiting embodiments, the height of the inner member 124 is less than 90%, 70%, 60%, 50%, and ranges encompassing such percentages of the height of the outer member 120. However, in other embodiments, the inner member 124 has a height that is generally greater than the height of the outer member 120. For example, the inner member 124 can have a height that is 10%, 20%, 30%, 40%, 50% greater than the height of the outer member 120. The inner member 124 can thus protrude from the tip 34. A skilled artisan can select a desired height of the inner member 124 and/or the outer member 120 to achieve the desired interaction with the person's skin 80.

FIGS. 10A through 10E illustrate another embodiment of a tip 34 comprising an outer member 120 and a pad 128. FIG. 10E depicts the pad 128 removed from the tip 34. The tip 34 preferably has a mounting surface 227 that is surrounded by the outer member 120. The pad 128 can be permanently or temporarily coupled to the mounting surface 227.

The pad 128 preferably has a distal surface 224 configured to treat a person's skin. In some embodiments, the pad 128 is a disposable pad that comprises treatment material attached thereto. For example, the pad 128 may comprise vitamins, moisturizers, antioxidants, and the like. Preferably, the pad 128 comprises an adhesive proximal side and a distal side 224 including an abrasive surface. The abrasive surface can have grit, a plurality of members (e.g., members similar to the inner members 124 described above), or the like. The pad 128 can be permanently coupled to the mating surface 227 so that the tip 34 can be used for an extended length of time, or for multiple treatments. In alternative embodiments, the tip 34 is removable for maximum flexibility in selecting pad abrasiveness, and also allows the user to make changes to the tip 34 without changing the tip 34 in its entirety. The grit rating of abrasive surface of the distal surface 224 can be selected based on the desired rate of skin removal.

The illustrated pad 128 is generally elliptical and planar. In alternative embodiments, the pad 128 can be polygonal, circular, or have any other shape as desired. The pad 128 can have cutouts 225 that can match the through-holes 114, 122. The cutouts 225 can be aligned with the through-holes 114, 122 when the pad 128 is coupled to the mounting surface 227 of the tip 34, as shown in FIGS. 10A to 10D. The illustrated mounting surface 227 defines a plurality of tip flow channels 229 extending between the through-holes 114, 122. When the tip 34 is assembled, fluid can flow along the channels 229 between the main body 66 and the pad 128.

Various types of adhesives can be used to temporarily or permanently couple the pad 128 to the mounting surface 227. As used herein, the term "adhesive" is a broad term and includes, but is not limited to, coupling agents, glues, bonding materials, or the like. In some embodiments, for example, waterproof pressure sensitive adhesives are used for releasably coupling the pad 128 to the mounting surface 227. In some embodiments, the pad 128 can be permanently coupled to the mounting surface 227. For example, the pad 128 can be bonded or fused to the main body 66. Addition-

13 ally or alternatively, snap fittings, fasteners, or other coupling structures can be used to mount the pad 128.

The tip 34 described above can be used for wet or dry modes of operation. As such, the tip 34 can be used for wet exfoliation or dry exfoliation. In some embodiments, the tip 5 34 is used in a dry mode to remove a desired amount of skin. After removing a desired amount of skin, the tip 34 can be used in a wet mode on the same or different area of the patient's kin. During wet mode, fluid can be passed out of the tip 34 onto the patient's skin. The wet tip 34 can 10 exfoliate, hydrate, and/or perform other types of treatments. Alternatively, the tip 34 can be used in a wet mode and than a dry mode. The sequence of wet and dry modes of operation can be selected based on the type of tip, treatment material, skin condition, and the like.

Although the handpiece assemblies are primarily discussed with respect to use with treatment material, the handpiece assemblies can be used without treatment material, i.e., the handpieces can be used in a dry procedure. Dry procedures can be used for non-hydration procedures and 20 may require less post-procedure clean up.

Various fabrication techniques can be employed to make the tips 34 as mentioned above in connection with FIGS. 11A-11E. In some embodiments, the tips 34 are formed through a molding process, such as an injection or compres- 25 sion molding process. The tips 34 of FIGS. 5A to 5D, for example, can be monolithically formed through an injection molding process. Alternatively, the tip 34 of can have a multi-piece construction, if desired. The tips 34 can be made of polymers, rubbers, metals, or other suitable materials.

The tips **34** can also be fabricated in a multi-step process. For example, the main body 66 and skirt 64 can be formed in a single process. A textured surface (e.g., pad, inner members 124, etc.) can be applied to the main body 66 in a subsequent process. The textured surface can be formed by 35 cutting, embossing, adding material (e.g., a pad, adhesive grit, etc.), a roughening implement, stamping process, or other suitable texturing means.

The tips can have associated treatment materials, including, for example, a medicament. As used herein, the term 40 "medicament" is a broad term and includes, without limitation, growth agents, growth factors or hormones, growth inhibitors, serums, treatment material, cleaners, vitamins, exfoliators, lubricants, or other substances that can be used to treat a patient's skin. The medicament can be associated 45 with the tip 34 by imbedding, overlaying, coating, impregnation, co-mixing, absorption, or other suitable means for associating the medicament with the tip 34. The medicament can be hardened so that it can further enhance massaging and/or abrasion. In some embodiments, the medicament 50 forms hardened grit that can be imbedded on the surface of the tip 34. The grit can work in combination with the inner members 124 to treat a person's skin. If a fluid is used, the fluid can facilitate the release of the medicament from the tip 34. In some embodiments, the medicament comprises or 55 more bioactive substances, such as antibiotics, substances for accelerating the healing of the wound, cell proliferation agents, and the like. Such bioactive substances may be desirable because they contribute to the healing of damaged or removed skin, as well as reducing the likelihood of 60 infection.

FIGS. 11A to 11E illustrate different cross-sections of inner members that can be used with the tips illustrated in FIGS. 1-10E. The inner member 124 of FIG. 11A has generally sharp tip 253 for removing tissue. The tip 253 can 65 have any suitable configuration for removing tissue from a patient. FIG. 11B illustrates an inner member 124 that has a

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pair of cutting edges 253 and a generally trapezoidal shape. FIG. 11C illustrates an inner member 124 that has a surface treatment 255 for treating a person's skin. The surface treatment 255 can be serrations, grooves, grit, roughed surface, protrusions, and the like. The type of surface treatment 255 can be selected based on the procedure to be performed. FIG. 11D illustrates another inner member 124 having a pair of cutting edges 253. The cutting edges 253 are spaced from each other and protrude outwardly. The central portion 257 is generally V-shaped; however, the central portion 257 can have other configurations. For example, FIG. 11E illustrates a central portion 257 that has a curved, semi-circular profile. In alternative embodiments, the inner member 124 can have more than two cutting edges.

The inner members 124 of FIGS. 11A to 11E can be formed by a molding process, such as an injection molding process. Additionally or alternatively, the inner members 124 can be formed by a machining process. For example, at least a portion of the inner member 124 of FIGS. 11D to 11E can be formed through a machining process. In some embodiments, the central portion 257 can be formed by cutting material out of the inner member 124. The fabrication process (e.g., molding, injection molding, compression molding, machining, milling, etc.) can be selected based on the design of the inner members.

Referring again to FIG. 1, the console 12 includes a manifold system 24 that holds containers 26 containing treatment fluids and/or antimicrobial agents. In a preferred embodiment, the console 12 holds four containers 26, three containing different treatment fluids and one containing an antimicrobial agent. In the illustrated embodiment, the largest container 26 holds antimicrobial agent for cleaning and sanitizing the fluid lines of the console 12. The containers 26 can also hold other suitable substances, such as surfactants, disinfectants, sanitizers, and the like, for cleaning and/or sanitizing the skin treatment system 10.

As shown in FIGS. 12 and 12A, the container 26 can be a fluid source such as a bottle comprising a body 262, a neck 264, and a closure assembly 266. The neck 264 includes a threaded neck finish and the closure 266 includes a threaded interior surface, allowing it to screw onto the neck 264. The closure 266 can be permanently or temporarily coupled to the neck 264. The illustrated bottle 26 is a non-refillable, disposable bottle. As used herein, the term "non-refillable" is a broad term that includes, but is not limited to, components that cannot be easily refilled with a treatment material. For example, the illustrated non-refillable bottle 26 cannot be refilled without substantial difficulty.

Bodies 262 of the containers 26 may be formed by stretch blow molding a preform into the desired shape. In other embodiments, the body 262 and a neck 264 can be formed by extrusion blow molding. For example, the bottle of FIG. 13A can be formed by extrusion blow molding. The containers 26 can be made of polymers, thermosets, thermoplastic materials such as polyesters (e.g., polyethylene terephthalate (PET)), polyolefins, including polypropylene and polyethylene, polycarbonate, polyamides including nylons, epoxies, and/or acrylics. The material can be virgin or post-consumer/recycled. However, other suitable materials known in the art can also be used.

In some embodiments, including the illustrated embodiment of FIGS. 12 and 12B, the closure 266 is welded (e.g., induction welded) to an upper edge 269 of the neck 264. A sealing member 267 can be interposed between the upper edge of the neck 269 and the closure 266. In some embodiments, the sealing member 267 is made out of a conductive metal, such as aluminum, that preferably does not react with

the fluid in the bottle 26. In other embodiments, the seal 267 comprises plastic, such as cellophane, polypropylene, or other suitable material, preferably suitable for coupling to the closure 266 and upper edge 269. In some embodiments, the sealing member 267 comprises metal that is at least 5 partially coated with a polymer, such as polypropylene. Induction welding can be used to couple the polypropylene

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to the closure 266 and neck 264, both of which can also comprise polypropylene.

FIG. 14A illustrates another embodiment of a bottle 26. 10 The closure 266 includes locking members 268 that engage the neck 264, but do not allow removal of the closure 266 from the bottle 26 when assembled, as shown in FIG. 13B. The locking closure 266 may include a sealing member 267, for example as described above.

In either of the embodiments illustrated in FIGS. 12 through 14B, the closure 266 may then be sealed with a second closure (not shown), creating multi-piece closures. For example, a screw cap can be threaded onto the external threads 273 at the top end of the closure 266. In these 20 embodiments, the treatment fluid inside the bottle 26 may be accessed by puncturing or otherwise breaking the seal 267, for example with an insertion tip assembly 59 (see FIG. 13A).

The insertion tip assembly 59 has an elongate member 25 161 that comprises a fluid pick up conduit 62 and lancing tip 64 extending from the distal end of the conduit 62. In the illustrated embodiment, the lancing tip 64 is a tubular member having a somewhat sharp distal end. To access treatment fluid in the bottle 26, the lancing tip 64 can be 30 inserted into the closure passageway 73 of the closure 266. The lancing tip 64 can be advanced through the passageway 73 until it breaks the sealing member 267. The elongate member 161 can be sufficiently rigid such that it can break the sealing member 267 without buckling. The elongate 35 member 161 can comprise metal, polymers, plastics, or any suitable material.

The fluid pick up conduit 62 and lancing tip 64 can be slid through the passageway 73 until the stop 91 is spaced from the upper edge of the closure 266. In alternative embodiments, the insertion tip assembly 59 can be slid through the passageway 73 until the stop 91 contacts the upper edge of the closure 266, as shown in FIG. 12B. After the insertion tip assembly 59 and bottle 26 are assembled, as shown in FIG. 12B, the treatment material can be draw upwardly through 45 the lancing tip 64 and the fluid pick up conduit 62. The treatment material can flow through a passageway of the insertion tip assembly 59 and to the manifold assembly 24.

In certain embodiments, the treatment fluid applied from the containers 26 may be selected from the console 12 for a 50 particular treatment or skin type. In one embodiment, the treatment fluid may comprise a skin rejuvenation serum. Skin rejuvenation serum cleans the skin 80 deeply while softening sebum and impurities to aid in extractions. Skin rejuvenation serum also assists in dislodging dead cells for 55 extraction and exfoliation by the tip 34 as well as providing residual hydration that aids in firming and smoothing fine lines, resulting in clean, refined, and ultra-moisturized skin 80. Preferably, a skin rejuvenation treatment serum is active-4TM, available from Edge Systems Corp., 2277 Redondo 60 Ave., Signal Hill, Calif., 90755, (800) 603-4996. In another embodiment, the treatment fluid may comprise a salicylic acid serum. A salicylic acid serum cleans oily skin deeply while softening sebum and impurities to aid in extraction and exfoliation by the tip 34. Hydration additives in the 65 salicylic acid serum create an ultra-moisturized skin surface, and is blended to remain on the face for the best possible

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benefit. Preferably, a salicylic acid treatment fluid is Beta-Hd™ also available from Edge Systems Corp. In yet another embodiment, the treatment fluid may comprise antioxidants. The antioxidant serum is a hybrid that combats free radicals and environmental damage to the cells. The antioxidant serum is formulated with a blend of the most effective antioxidant ingredients. The antioxidant serum is an absorbable, leave-on service that improves the appearance of age signs as well as texture and clarity. Preferably, an antioxidant treatment fluid is antiox-6TM, also available from Edge Systems Corp. The treatment fluids may comprise agents known to be beneficial to skin healing and/or hydration including but not limited to glucosamine, laminaria digitata extract, yeast extract, carbamide, lactic acid, sodium lactate, honey extract, pentylene glycol, spirea ulmaria extract, camellia sinensis leaf (white tea) extract, horse chestnut extract, stabilized vitamins A, B1, B6, B12, C, and E, tocopherol, inositol, calcium panthothenate, linoleic acid, rosemarinus officinalis extract, biotin, and aloins such as anthraquinone gycosides, polysaccharides, sterols, gelonins, and chromones.

A single treatment may comprise the serial use of several treatment fluids from the containers 26. For example, the treatment of acne prone skin may comprise salicylic treatment followed by antioxidant treatment, the treatment of aging skin may comprise skin rejuvenator treatment followed by salicylic treatment followed by antioxidant treatment, the treatment of congestion (e.g., blackheads) may comprise skin rejuvenator treatment followed by salicylic treatment followed by antioxidant treatment, the treatment of damaged skin (e.g., due to medication or smoking) may comprise skin rejuvenator treatment followed by antioxidant treatment, the treatment of skin may comprise skin rejuvenator treatment followed by salicylic treatment followed by antioxidant treatment, the treatment of hyperpigmentation may comprise skin rejuvenator treatment followed by salicylic treatment followed by antioxidant treatment, the treatment of melasma may comprise skin rejuvenator treatment followed by salicylic treatment followed by antioxidant treatment, the treatment of sensitive skin may comprise skin rejuvenator treatment followed by antioxidant treatment, and the treatment of thin skin may comprise salicylic treatment followed by antioxidant treatment. Alternatively, a single treatment may comprise the parallel use of a combination of treatment fluids from the containers 26, for example using a handpiece with a plurality of input lumens 90 as described above. Treatment time with each treatment fluid is preferably about 2 to 20 minutes, but may be longer or shorter depending on the patient, the tip 34 used, and the treatment itself.

The treatment materials can be used for acne (e.g., by removing oils, bacteria, etc.), melasma, damaged skin (e.g., sun damaged skin, burns, free radical damage, etc.), extractions, skin lightening and/or brightening, skin lines (e.g., fine lines, wrinkles, creases, etc.), dry skin, and the like. The treatment materials can improve skin elasticity and overall health of the skin. For example, if the skin is damaged, antioxidants can be applied to damaged area. Accordingly, the skin treatment system 10 can be used to improve the health, appearance, and/or function of a person's skin.

Additionally, the line **20** may be periodically flushed with a fluid (e.g., a antimicrobial fluid, water, etc.) contained in one of the containers **26**. Antimicrobial fluids can contain any disinfecting agent compatible with skin including, but not limited to, butylene glycol, phenoxyethanol, and methyl isothiazolinone. Preferably, an antimicrobial fluid is RinseawayTM, available from Edge Systems Corp. The line **20**

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should be flushed with antimicrobial fluid at least at the end of each service day. Flushing with antimicrobial fluid is more important when the system is not used for consecutive days.

As illustrated in FIG. 1, the console 12 comprises the 5 manifold system 24 designed to draw treatment fluid from at least one of the containers 26 based on user selection. The manifold system 24 may include switches 29, each corresponding to one of the bottles. The switches 29 can be used to control fluid flow from the containers 26. The illustrated 10 switches 29 can be used to turn Off/On to permit or prevent fluid flow from the bottles 26. The illustrated manifold system 24 has a switch corresponding to each bottle 26. As such, the switches can be used to independently control fluid flow from each of the bottles 26. In other embodiments, a 15 single switch can be used to control the flow of treatment fluid from more than one of the bottles 26.

With continued reference to FIG. 1, the button 246 can be operated to release a corresponding bottle 26 from the manifold system 24. FIG. 15A is front perspective view an 20 embodiment in which the manifold system 24 contains quick-release locks connected to the button 246, wherein the quick-release locks capture the containers 26. As illustrated in FIGS. 14B and 14C, the quick-release locks 242 engage the closure 266 when the bottle 26 is inserted into the 25 manifold system 24. When the quick-release lock 242 is manually engaged by a user, for example by pulling the button 246, a slide structure 249 surrounding the closure 266 releases, thereby releasing the bottle 26 from the manifold system 24.

FIG. 15E illustrates the slide structure 249 holding the neck 264 of the bottle 26 in an elongated slot 309. The button 246 can be pushed inwardly (indicated by the arrow 313) so that the neck 264 is positioned within the enlarged aperture 317. The bottle 26 can then slide downwardly out 35 of the manifold system 24. The bottle 26 can be replaced with another bottle 26.

To couple the bottle 26 to the manifold system 24, the closure 266 can be inserted through the aperture 317 of the slide structure 249 when the button 246 is pushed in. Once 40 the closure 266 engages the stop surface 333 (FIG. 15C), the spring 247 can push the slide structure 249 until the flange 335 of the bottle 26 rests on the slide structure 249, as shown in FIG. 15C. In such a position, the manifold system 24 securely holds the bottle 26. The illustrated slide structure 45 249 has a sloped portion 269 that can cam along the flange 335 as the button 246 moves outwardly. Accordingly, the slide member 249 can push the closure 266 upwardly until the closure 266 is locked with the manifold 24, as shown in FIG. 15C. The quick-release lock 242 is loaded with spring 50 247 such that the slide structure 249 is biased towards the button 246.

The manifold system 24 can have a modular design so that it can be removed from the console 12. In some embodiments, the manifold system 24 and associated containers 26 55 can be removed and transported away from the console 12. Accordingly, the modular manifold systems can be interchanged to provide treatment flexibility. Alternatively, the manifold system 24 can be permanently mounted to the console 12.

FIGS. 15B and 15C illustrate cross-sectional views of the manifold system 24 taken along lines 15B-15B and lines 15C-15C, respectively. Both FIGS. 15B and 15C show the fluid pick up conduit 62 in operative engagement with the bottle 26 through the seal 267. Suction device(s) is preferably in fluid communication with the fluid pick up conduit 62, and draws fluid out of the bottle 26 through the fluid pick

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up conduit 62. The fluid can flow through a passageway 161 (see FIG. 15C) extending through the pick up conduit 62. The fluid can flow to and through the lumen 171 towards the line 20. If the switch 29 is off, the fluid from one or more of the upstream bottles can flow along the passage 173. The manifold system 24 then directs the fluid into the line 20.

In certain embodiments, including the embodiment of FIG. 1, the console 12 comprises a computer with display 32. In one embodiment, the display 32 is a user input device comprising a touch screen that controls the computer. In other embodiments, the computer may be controlled by input devices such as a keyboard, keypad, mouse, pointing device, or other input device. The computer controls a variety of functions in the console 12. For example, the computer may control the manifold system 24, and thereby the flow of treatment fluids from the containers 26. In one embodiment, the fluid flowing through the line 20 can be changed by pressing a single button on the touch screen display 32. In another embodiment, the computer contains teaching tutorials that are exhibited on the display 32. In yet another embodiment, the user may change program chips within the computer according to treatment and/or patient. In still another embodiment, the computer records patient and treatment data, for example data gathered during treat-

The console 12 can also comprise a mechanical system for controlling fluid flow from the containers to the handpiece. One or more pumps, valves, fluid lines, and the like can cooperate to deliver fluid from the containers to the handpiece. The console 12 can be powered pneumatically, electrically, or by any other suitable powering means. The mechanically drive console 12 can have manual controls for controlling fluid flow to the handpiece.

The console 12 can also comprise additional handpieces suitable for other types of skin treatment. These additional handpieces can be used for pre-treatment or post-treatment in combination with other modalities. For example, the console 12 may include a handpiece for diamond tip abrasion, or "crystal-free" microdermabrasion, as described above. Such a handpiece may be useful for more aggressive treatments, in addition to treatment with the handpiece assembly 18. The diamond tips can range from fine to extra

In some embodiments, the console 12 comprises a handpiece including at least one light emitting diode (LED). Light therapy has been shown to improve skin. For example, red light between about 600 and about 700 nanometers and infrared LED light between about 700 and about 1,000 nanometers reduces the appearance of fine lines and superficial hyperpigmentation. For another example, blue LED light at about 430 nanometers improves the appearance of oily and acne-prone skin. Other benefits of light therapy include promotion of collagen production, increased circulation and moisture retention, smoothing of skin texture, and improvement of skin firmness and resilience.

The console 12 can comprise handpieces for vacuum therapy such as lymphatic drainage and cellulite massage. Vacuum therapy enhances the effects of treatment with the handpiece assembly 18 and LED light therapy. Preferably, the vacuum therapy handpieces are sized appropriately for facial massage and body massage. An example of a multimodality protocol using a plurality of handpieces comprises diamond tip abrasion, treatment with handpiece assembly 18 and at least one treatment fluid from containers 26, vacuum therapy, red light therapy, and application of sunscreen, for example at a minimum skin protection factor (SPF) of 15.

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The various modalities may be included and ordered by the user depending on the desired outcome of the overall treatment

The console 12 optionally includes any of a plurality of additional features. For example, a digital camera may be 5 used to take pictures of the patient before and after treatment, and the pictures may be stored on the computer. The computer may hold client medical and treatment records. The computer may be connected to a network. The console 12 may store disks. The console 12 may include an ultrasound unit. The console 12 may include a stimulator, such as an electrical stimulator. The console 12 may include an iontophoresis handpiece. The number of additional features is limitless when considering the range of features that a user may wish to incorporate with the treatment provided by the 15 handpiece assembly 18.

FIG. 16 depicts another embodiment of the skin treatment system 10, which may be generally similar to the embodiment illustrated in FIG. 1, except as further detailed below. Where possible, similar elements are identified with identical reference numerals in the depiction of the embodiment of FIG. 1.

The line 20 includes an output line 50 for removing waste from the handpiece assembly 18 and an input line 52 for delivering treatment material to the handpiece assembly 18. 25 A valve 300 can be disposed along the input line 52 to inhibit backflow of treatment material. The console 12 can pump treatment material through the input line 52 to the handpiece assembly 18 when the handpiece assembly 18 is applied to the person's skin, as detailed above. The fluid flow through 30 the input line 52 can be reduced or stopped so that the handpiece assembly 18 can be removed from the patient's skin. The valve 300 can inhibit the flow of fluid through the input line 52 towards the console 12. A desired amount of treatment material can therefore be contained in the hand- 35 piece assembly 18 and the section 310 of the input tubing 52 extending between the valve 300 and the handpiece assembly 18. When the handpiece assembly 18 is applied to a patient's skin, a vacuum can be applied to the output line 50. The vacuum can draw the treatment material out of the 40 handpiece assembly 18 without a substantial or noticeable delay.

In some embodiments, the valve 300 can be a one-way valve, such as a duckbill valve, check valve, or other type of valve for inhibiting fluid flow. In alternative embodiments, 45 the valve 300 can comprises a plurality of valves (e.g., one-way valves, flow regulators, adjustable valves, etc.).

FIG. 17 is a cross-sectional view of the line 20. The input and output lines 50, 52 can have different or similar cross sectional flow areas. The illustrated output line 50 has a 50 passageway 312 with a diameter that that is less than the diameter of a passageway 314 of the input line 52. Accordingly, a relatively large slug of treatment material can be stored in the section 310 extending distally from the valve 300 to the handpiece assembly 18. The slug can be quickly 55 delivered out of the handpiece assembly 18 once the handpiece assembly is applied to a patient's skin as detailed above.

In some embodiments, the section **310** of the output line **50** has a length L greater than 6 inches, 12 inches, 18 inches, 60 24 inches, and ranges encompassing such lengths. In some embodiments, the section **310** of the output line **50** has a length L greater than 24 inches, 30 inches, 36 inches, and ranges encompassing such lengths. The passageway **312** can have a cross-sectional area that is at least 10%, 30%, 50%, 65 75%, or 100% greater than the cross-sectional area of the passageway **314**. The length L and the diameters of the

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passageways 312, 314 can be selected based on the desired amount of treatment material to be stored in the line 20, delivery and removal rates.

FIGS. 18 and 19 illustrate a modular handpiece assembly 360 having a cartridge 362 containing treatment material. The illustrated handpiece assembly 360 can be used to deliver treatment material from the cartridge 362. The main body 30 can have a pump for pressuring the treatment material. In one embodiment, the fluid control device includes a power supply, such as a battery, which provides power to electrical components (e.g., pumps or valves) of the handpiece assembly 360. The power supply can be a battery that is preferably disposed within the main body 30 of the handpiece assembly 360. In one arrangement, the battery is a rechargeable battery that can be connected to and recharged by an AC power supply, such as a typical residential electrical outlet. Alternatively, the handpiece assembly 360 can be directly powered by an AC power supply. The power supply can provide power to several components of the handpiece assembly 360. For example, the power supply can provide power to a plurality of fluid control devices 330 and/or a flow control unit. A control switch 371 can be used to turn the handpiece assembly 360 Off/On and/or control the output of the handpiece assembly 360.

In operation, the cartridge 362 can be inserted into the main body 30. The handpiece assembly 360 can be applied to a patient's skin to deliver treatment material from the cartridge 362 to the patient's skin. After delivering a desired amount of treatment material, the cartridge 362 can be separated from the main body 30. The cartridge 362 can be a one-use or multi-use cartridge. For example, the cartridge can be a non-refillable disposable cartridge.

The tip 34 can also be used to remove hair or perform other skin treatments. For example, the tip 34 can include one or more razor blades and may be configured to apply a treatment material (e.g., antioxidants, vitamins, serums, growth agents, etc.) to the skin during the shaving process. In such embodiments, the main body 30 can be an elongated handle that is connected to a transversely extending elongate tip 34. In some embodiments, the handpiece assembly can be in the form of a disposable handleld razor. The treatment material can reduce or substantially eliminate problems associated with wet or dry shaving systems. These treatment materials may be applied prior to, during, before, and/or after shaving.

The articles disclosed herein may be formed through any suitable means. The various methods and techniques described above provide a number of ways to carry out the invention. Of course, it is to be understood that not necessarily all objectives or advantages described may be achieved in accordance with any particular embodiment described herein. Thus, for example, those skilled in the art will recognize that the methods may be performed in a manner that achieves or optimizes one advantage or group of advantages as taught herein without necessarily achieving other objectives or advantages as may be taught or suggested herein.

Furthermore, the skilled artisan will recognize the interchangeability of various features from different embodiments disclosed herein. Similarly, the various features and steps discussed above, as well as other known equivalents for each such feature or step, can be mixed and matched by one of ordinary skill in this art to perform methods in accordance with principles described herein. Additionally, the methods which are described and illustrated herein are not limited to the exact sequence of acts described, nor are they necessarily limited to the practice of all of the acts set

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forth. Other sequences of events or acts, or less than all of the events, or simultaneous occurrence of the events, may be utilized in practicing the embodiments of the invention.

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Although the invention has been disclosed in the context of certain embodiments and examples, it will be understood 5 by those skilled in the art that the invention extends beyond the specifically disclosed embodiments to other alternative embodiments and/or uses and obvious modifications and equivalents thereof. Accordingly, it is not intended that the invention be limited, except as by the appended claims.

What is claimed is:

- 1. A system for performing a skin treatment procedure, the system comprising:
 - a console including a manifold, the manifold being in fluid communication with a first fluid container and at 15 least a second fluid container, the first fluid container and the at least the second fluid container being configured to contain a treatment material for a skin treatment procedure, wherein the treatment material comprises a liquid;
 - a handpiece assembly comprising a tip, the tip being configured to contact a skin surface of a subject;
 - a supply conduit placing the manifold of the console in fluid communication with the handpiece assembly, wherein a distal end of the supply conduit is configured 25 to couple to the handpiece assembly;
 - wherein the manifold is configured to control a flow of treatment material from the first fluid container and at least the second fluid container through the supply conduit; and
 - a vacuum source;
 - a waste conduit in fluid communication with the tip of the handpiece assembly to remove waste away from a skin surface of a subject during a skin treatment procedure, wherein the waste conduit is operatively coupled to the 35 vacuum source; and
 - wherein the system is configured to permit a user to select the treatment material from the first fluid container or the at least second fluid container to be delivered through the supply conduit to the handpiece assembly; 40 and
 - wherein, when the vacuum source is activated and the tip contacts the skin surface, a suction force is created within the waste conduit and along the tip, thereby removing waste from the skin surface via the waste 45 conduit while drawing treatment material from the first fluid container or the second fluid container to the tip via the supply conduit.
- 2. The system of claim 1, wherein the console comprises a display, wherein the display comprises a user input device 50 to facilitate controlling a flow of treatment materials from the first fluid container or the at least a second fluid container to the handpiece assembly.
- 3. The system of claim 2, wherein the user input device comprises a touch screen.
- 4. The system of claim 1, wherein the first fluid container or the at least a second fluid container is releasably coupled to the manifold.
- 5. The system of claim 1, wherein the manifold is configured to be placed in fluid communication with at least four 60 fluid containers.

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- 6. The system of claim 1, wherein treatment materials from the first fluid container and at least the second fluid container are delivered to the supply conduit sequentially or simultaneously.
 - 7. The system of claim 1, wherein the console is movable.
- 8. The system of claim 1, wherein the tip of the handpiece assembly is configured to exfoliate skin tissue as the handpiece assembly is moved relative to a skin surface of a subject.
- 9. The system of claim 1, wherein each of the supply conduit and the waste conduit connects to a corresponding connector along a proximal end of the handpiece assembly.
- 10. The system of claim 1, wherein the manifold of the console is configured to be placed in fluid communication with a container comprising an antimicrobial fluid or other disinfecting agent for periodic flushing of the manifold.
- 11. A system for performing a skin treatment procedure, the system comprising:
 - a manifold in fluid communication with at least two fluid containers, each of the at least two fluid containers being configured to contain a treatment material, wherein the treatment material comprises a liquid;
 - a handpiece assembly comprising a tip, the tip being configured to contact a skin surface of a subject;
 - a supply conduit placing the manifold in fluid communication with the handpiece assembly, wherein a distal end of the supply conduit is configured to secure to the handpiece assembly;
 - a vacuum source; and
 - a waste conduit in fluid communication with the handpiece assembly to remove waste from a skin surface of a subject during a procedure, wherein the waste conduit is operatively coupled to the vacuum source;
 - wherein the manifold is configured to control a flow of treatment material from each of the at least two fluid containers through the supply conduit;
 - wherein the system is configured to permit a user to select the fluid container from which treatment material is delivered to the supply conduit.
- 12. The system of claim 11, further comprising a user input device for selecting a treatment material to be passed through the supply conduit to the handpiece assembly.
- 13. The system of claim 11, wherein the system comprises a display, wherein the display comprises a user input device to facilitate controlling a flow of treatment materials from the at least two fluid containers.
- 14. The system of claim 13, wherein the user input device comprises a touch screen.
- 15. The system of claim 11, wherein the at least two fluid containers is releasably coupled to the manifold.
- 16. The system of claim 11, wherein the tip of the handpiece assembly is configured to exfoliate skin tissue as the handpiece assembly is moved relative to a skin surface of a subject.
- 17. The system of claim 11, wherein the manifold is configured to be placed in fluid communication with a container comprising an antimicrobial fluid or other disinfecting agent for periodic flushing of the manifold.

EXHIBIT B

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

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Application Data Sheet 37 CFR 1.7				1 76	Attorney Docket Number			EDGE.005C2					
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Case 2:20-cv-06082-GRB-ST Document 69-3 Filed 06/21/22 Page 45 of 363 Page 10:2-13)

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Application Da	ta Sheet 37 CFR 1.76	Attorney Docket Number	EDGE.005C2
Application Da	ita Sileet 37 Cl K 1.70	Application Number	
Title of Invention	CONSOLE SYSTEM FOR TH	E TREATMENT OF SKIN	

Application Number	Continuity Type	Prior Application Number	Filing Date (YYYY-MM-DD)				
11/392348	Claims benefit of provisional	60/755310	2005-12-30				
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11/392348	Claims benefit of provisional	60/764668	2006-02-02				
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Statement under 37 CFR 1.55 or 1.78 for AIA (First Inventor to File) Transition **Applications**

This application (1) claims priority to or the benefit of an application filed before March 16, 2013 and (2) also contains, or contained at any time, a claim to a claimed invention that has an effective filing date on or after March
contains, or contained at any time, a dain to a claimed invention that has an elective liming date on or after warding
16, 2013.
NOTE: By providing this statement under 37 CFR 1.55 or 1.78, this application, with a filing date on or after March
16, 2013, will be examined under the first inventor to file provisions of the AIA.

Authorization to Permit Access:

Authorization to Permit Access to the Instant Application by the Participating Offices
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Title of Invention	CONSOLE SYSTEM FOR TH	IE TREATMENT OF SKIN	

If checked, the undersigned hereby grants the USPTO authority to provide the European Patent Office (EPO), the Japan Patent Office (JPO), the Korean Intellectual Property Office (KIPO), the World Intellectual Property Office (WIPO), and any other intellectual property offices in which a foreign application claiming priority to the instant patent application is filed access to the instant patent application. See 37 CFR 1.14(c) and (h). This box should not be checked if the applicant does not wish the EPO, JPO, KIPO, WIPO, or other intellectual property office in which a foreign application claiming priority to the instant patent application is filed to have access to the instant patent application.

In accordance with 37 CFR 1.14(h)(3), access will be provided to a copy of the instant patent application with respect to: 1) the instant patent application-as-filed; 2) any foreign application to which the instant patent application claims priority under 35 U.S.C. 119(a)-(d) if a copy of the foreign application that satisfies the certified copy requirement of 37 CFR 1.55 has been filed in the instant patent application; and 3) any U.S. application-as-filed from which benefit is sought in the instant patent application.

In accordance with 37 CFR 1.14(c), access may be provided to information concerning the date of filing this Authorization.

Applicant Information:

Applicant inform	iation.					
Providing assignment info to have an assignment red			ute for compliance with any	requirement of part 3 of Title 37 of CFR		
Applicant 1				Remove		
The information to be provided 1.43; or the name and addressed who otherwise shows suffice applicant under 37 CFR 1.4	ded in this se ess of the a ient propriet 6 (assignee	ection is the name and addi ssignee, person to whom th ary interest in the matter wh , person to whom the inven	ress of the legal representa te inventor is under an oblig tho is the applicant under 37 tor is obligated to assign, o), this section should not be completed. It it who is the applicant under 37 CFR gation to assign the invention, or person OFR 1.46. If the applicant is an or person who otherwise shows sufficient ors who are also the applicant should be		
Assignee		C Legal Representative	e under 35 U.S.C. 117	Joint Inventor		
Person to whom the inve	entor is oblig	ated to assign.	Person who sh	ows sufficient proprietary interest		
If applicant is the legal re	presentativ	ve, indicate the authority	to file the patent applica	tion, the inventor is:		
Name of the Deceased of	or Legally I	ncapacitated Inventor :				
If the Applicant is an Or	ganization	check here.				
Organization Name	EDGE SYS	STEMS LLC				
Mailing Address Infor	mation:					
Address 1 2277 Redondo Avenue						
Address 2						
City	Signal	Hill	State/Province	CA		
Country US			Postal Code	90755		
Phone Number Fax Number						

Case 2:20-cv-06082-GRB-ST Document 69-3 Filed 06/21/22 Page 48 of a Solution Section 20032

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Application Da	ata Sheet 37 CFD 1 76	Attorney Docket Number	EDGE.005C2
Application Data Sheet 37 CFR 1.76		Application Number	
Title of Invention	CONSOLE SYSTEM FOR TH	E TREATMENT OF SKIN	

This collection of information is required by 37 CFR 1.76. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 23 minutes to complete, including gathering, preparing, and submitting the completed application data sheet form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

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EDGE.005C2 **PATENT**

CONSOLE SYSTEM FOR THE TREATMENT OF SKIN

Cross-reference to Related Applications

This is a continuation of U.S. Patent Application No. 13/267,554, filed [0001]October 6, 2011, which is a continuation of U.S. Patent Application No. 11/392,348, filed March 29, 2006, which claims the benefit of U.S. Provisional Application No. 60/755,310, filed December 30, 2005 and U.S. Provisional Application No. 60/764,668, filed February 2, 2006, the entireties of all of the aforementioned applications are hereby incorporated by reference herein.

Background

Field

[0002] The invention relates in general to the field of skin treatment, and more specifically to apparatuses and methods for treating a person's skin.

Description of the Related Art

Abrasion of the outer layer or epidermis of the skin is desirable to smooth [0003] or blend scars, blemishes, or other skin conditions that may be caused by, for example, acne, sun exposure, and aging. Standard techniques used to abrade the skin have generally been separated into two fields referred to as dermabrasion and microdermabrasion. techniques remove portions of the epidermis called the stratum corneum, which the body interprets as a mild injury. The body then replaces the lost skin cells, resulting in a new outer Additionally, despite the mild edema and erythema associated with the laver of skin. procedures, the skin looks and feels smoother because of the new outer layer of skin.

Dermabrasion refers to a procedure in which the surface of the skin is removed due to mechanical rubbing by a handpiece with an abrasive element that is often in the form of a burr, wheel, or disc. This process tends to be painful and messy. In fact, the procedure is sometimes painful enough to require a local anesthetic. Dermabrasion leaves the skin red and raw-looking. The removed skin can take several months to regrow and heal. Recent efforts have led to the use of lasers instead of abrasive elements, which have resulted in less bleeding, but the pain and mess remains.

-1-

[0005] Efforts have been made to decrease the mess caused by the process waste, such as removed skin and blood, by adding a suction element. As the process waste is drawn into the suction opening, skin that has not been removed is also pulled against the grit surrounding the suction opening, so the procedure remains fairly messy due to the abrasion that takes place outside of the handpiece by the grit.

[0006] Microdermabrasion refers generally to a procedure in which the surface of the skin is removed due to mechanical rubbing by a handpiece emitting a stream of sand or grit. For example, a handpiece can be used to direct an air flow containing tiny crystals of aluminum oxide, sodium chloride, or sodium bicarbonate. The momentum of the grit tends to wear away two to three cell layers of the skin with each pass of the handpiece. Alternatively, new "crystal-free" microdermabrasion techniques utilize a diamond-tipped handpiece without a stream of grit.

[0007] Efforts to add a suction element have been more successful in microdermabrasion than in dermabrasion because the handpiece applying the stream of grit is more controllable to a localized area. That is, as the removed skin is drawn into the suction opening, skin that has not been removed is also pulled towards the handpiece where it is treated with the grit stream, allowing for simultaneous local treatment and suction.

[0008] Microdermabrasion removes moisture from the skin, so the procedure is always followed by the application of moisturizing creams. However, similar to topical application of moisturizing creams prior to microdermabrasion, the moisturizing elements only work as deep as the active ingredients can passively migrate through the remaining epidermis.

Summary of the Invention

[0009] In some embodiments, an apparatus for treating skin has a console with a user input device and a handpiece assembly. The handpiece assembly is configured to treat skin. A fluid line provides fluid communication between the console and the handpiece assembly. A manifold system is coupled to the console and controlled by the user input device, such as a computer, touchscreen, keyboard, and the like. The manifold system is configured to hold releasably a plurality of fluid sources and deliver fluid from at least one of the plurality of fluid sources to the handpiece assembly.

- [0010] In some embodiments, a tip comprising a skirt portion is configured to couple to a handpiece for treating a target area on a patient's skin. A central body portion is coupled to the skirt portion. A first passage extends through the central body portion and is configured to receive a fluid from the handpiece. At least one second passageway extending through the central body portion and is configured to convey the fluid back into the handpiece. An inner member extends in a generally spiral fashion across at least a portion of a distal face of the central body portion. The inner member defines a channel between the first passage and the at least one second passage. When the tip is place against the skin, a chamber can be formed by the channel and the person's skin.
- [0011] In some embodiments, a method of treating a target region on a patient's skin comprises providing a tip including a first aperture and at least one second aperture. At least one inner member on the surface of the tip defines at least one channel between the first aperture and the at least one second aperture. An outer member is disposed on the surface of the tip. The outer member engages the target with the tip. A treatment fluid flows distally through the first aperture region and through the at least one channel. The treatment fluid flows proximally through the at least one second aperture.
- [0012] In some embodiments, a tip comprises a skirt portion configured to couple to a handpiece for treating a target on a patient's skin. A central body portion is coupled to the skirt portion and includes a mounting region substantially opposite the skirt portion. The mounting region configured to receive a pad for treating the skin. A first aperture extends through the skirt portion and the central body portion and configured to receive a fluid from the handpiece. At least one second aperture extending through the skirt portion and the central body portion and configured to convey the fluid back into the handpiece.
- [0013] In some embodiments, a method of treating a target region of a patient comprises providing a tip including a first aperture, at least one second aperture, and a distal end configured to receive a pad. In some variations, the first pad is attached to the distal end. The tip is engaged with the target region.
- [0014] In some embodiments, a manifold system comprises a body portion configured to receive releasably at least two bottles. The manifold is configured so that it can be coupled to a console. The console includes a handpiece for treating skin. At least one

elongate member is in communication with a pump and configured to extract a fluid from one of the at least two bottles. At least one switch is configured to permit or inhibit a flow of the fluid from one of the at least two bottles through the pump. In some variations, the elongate member is dimensioned to fit within one of at least two bottles to draw fluid out of the bottle.

[0015] In some embodiments, a method of treating a target region on a patient's skin comprises engaging a tip with the patient's skin such that an effective amount of skin is removed by the tip. In some variations, the tip is a dry tip. After removing an effective amount of skin, another tip (e.g., a wet tip) engages the patient's skin such that an effective amount of skin is removed by the tip. In some variations, acid is delivered out of the wet tip to facilitate skin removal. In some variations, the wet tip includes a first aperture, at least one second aperture, at least one inner member on the surface of the tip defining at least one channel between the first aperture and the at least one second aperture, and an outer member on the surface of the tip. In some variations, treatment fluid flows outwardly along the channel. In some variations, treatment fluid flows inwardly along the channel. In some variations, the wet tip comprises an abrasive pad.

[0016] In some embodiments, a method of treating a target region on a patient's skin comprises engaging a first skin treatment tip with the patient's skin. A first material is delivered out of the first skin treatment tip to a target region. A second skin treatment tip engages the target region while the first material effectively facilitates exfoliation with the second skin treatment tip. In some variations, the first material comprises an acid, hydrator, and combination thereof. In some variations, the first skin treatment tip is configured to remove skin at a different rate than the second skin treatment tip. In some variations, the first skin treatment tip is configured to exfoliate at a higher rate than the second skin treatment tip. In some variations, material is delivered out of the second treatment tip to the target region of the patient's skin.

[0017] The apparatus for treating skin can dispense treatment material that is held in containers, such as bottles, bags, pouches, or other suitable structures for holding and storing material. These containers can be non-refillable or refillable. The treatment material can be delivered by gravity feed, pumps, or suction devices. The manifold system can be used to control fluid flow from a plurality of containers to one or more handpieces.

Brief Description of the Drawings

- [0018] Having thus summarized the general nature of the invention, certain preferred embodiments and modifications thereof will become apparent to those skilled in the art from the detailed description herein having reference to the figures that follow.
- [0019] Figure 1 is a perspective view of one embodiment of a skin treatment system.
- [0020] Figure 2A is a perspective view of one embodiment of a handpiece assembly for use with the skin treatment system of Figure 1.
- [0021] Figure 2B is a side elevational view of the handpiece assembly of Figure 2A.
- [0022] Figure 3 is a longitudinal cross-sectional view of the handpiece assembly of Figure 2B. The handpiece assembly is engaging a person's skin.
- [0023] Figure 4 is a perspective view of another embodiment of a handpiece assembly.
- [0024] Figure 5A is a perspective view of one embodiment of a tip that can be coupled to a main body of a handpiece assembly to treat a person's skin.
 - [0025] Figure 5B is a top elevational view of the tip of Figure 5A.
 - [0026] Figure 5C illustrates a bottom elevational view of the tip of Figure 5A.
- [0027] Figure 5D is a cross-sectional view of the tip of Figure 5B taken along the line 5D-5D.
- [0028] Figure 6A is a perspective view of a tip in accordance with another embodiment.
 - [0029] Figure 6B is a top elevational view of the tip of Figure 6A.
 - [0030] Figure 6C is a bottom elevational view of the tip of Figure 6A.
- [0031] Figure 6D is a cross-sectional view of the tip of Figure 6B taken along the line 6D-6D.
- [0032] Figure 7A is a perspective view of a tip in accordance with another embodiment.
 - [0033] Figure 7B is a top elevational view of the tip of Figure 7A.
 - [0034] Figure 7C is a bottom elevational view of the tip of Figure 7A.

- [0035] Figure 7D is a cross-sectional view of the tip of Figure 7B taken along the line 7D-7D.
- [0036] Figure 8A is a perspective view of yet another embodiment of a tip for treating a person's skin.
 - [0037] Figure 8B is a top elevational view of the tip of Figure 8A.
 - [0038] Figure 8C is a bottom elevational view of the tip of Figure 8A.
- [0039] Figure 8D is a cross-sectional view of the tip of Figure 8B taken along the line 8D-8D.
- [0040] Figure 9A is a perspective view of still another embodiment of a tip that can be coupled to a main body of a handpiece assembly.
 - [0041] Figure 9B is a top elevational view of the tip of Figure 9A.
 - [0042] Figure 9C is a bottom elevational view of the tip of Figure 9A.
- [0043] Figure 9D is a cross-sectional view of the tip of Figure 9B taken along the line 9D-9D.
- **[0044]** Figure 10A is a perspective view of another embodiment of a tip for treating a person's skin.
 - [0045] Figure 10B is top elevational view of the tip of Figure 10A.
 - [0046] Figure 10C is bottom elevational view of the tip of Figure 10A.
- [0047] Figure 10D is a cross-sectional view of the tip of Figure 10B taken along the line 10D-10D.
- [0048] Figure 10E is a perspective exploded view of the tip of Figure 10A, wherein a pad is spaced from a tip main body.
- [0049] Figures 11A-11E are cross-sectional views of inner members that can be used to exfoliate skin.
- [0050] Figure 12 is a perspective view of a bottle for use with the skin treatment system of Figure 1.
- [0051] Figure 13A is a cross-sectional view of one embodiment of a bottle spaced from an insertion tip assembly.
- [0052] Figure 13B is a cross-sectional view of the bottle of Figure 12A coupled with the insertion tip assembly.

- [0053] Figure 14A is a cross-sectional view of a closure and a bottle.
- [0054] Figure 14B is a cross-sectional view of the closure and bottle of Figure 14A when assembled.
- [0055] Figure 15A is a perspective view of one embodiment of a manifold system holding a plurality of bottles.
- [0056] Figure 15B is a cross-sectional view of the manifold system of Figure 15A taken along the line 15B-15B of Figure 15A.
- **[0057]** Figure 15C is a cross-sectional view of the manifold system of Figure 15A taken along the line 15C-15C of Figure 15A.
- [0058] Figure 15D is a cross-sectional view of the manifold system of Figure 15C wherein the bottle has been removed.
 - [0059] Figure 15E is a cross-sectional elevational view of the manifold system.
- [0060] Figure 16 is a perspective view of another embodiment of a skin treatment system.
- [0061] Figure 17 is a cross-sectional view of a fluid line of the skin treatment system of Figure 16 taken along the line 17-17.
- [0062] Figure 18 is a side elevational view of a handpiece assembly with a removable cartridge.
- **[0063]** Figure 19 is a side elevational view of the handpiece assembly and removable cartridge of Figure 18, the cartridge is shown removed from the handpiece assembly.

Detailed Description of the Preferred Embodiment

[0064] Figure 1 illustrates a skin treatment system 10 that can be used to perform one or more treatments on a person's skin. The illustrated skin treatment system 10 includes a console 12 and a handpiece assembly 18 connected to the console 12 via a line 20. A manifold system 24 can control the flow of treatment material from containers 26 into and through the line 20. The treatment material can be discharged out of the handpiece assembly 18 to treat a person's skin. The skin treatment system 10 can be used at a hospital, health care physicality, residences, or any other suitable location.

[0065] As explained in more detail below, the handpiece assembly 18 is applied to the target area of the patient to perform skin treatment(s). As used herein, the term "skin treatment" is a broad term and includes, but is not limited to, skin removal, skin abrasion (e.g., dermabrasion, microdermabrasion, etc.), ablating or slicing skin (preferably a thin layer of skin), stimulation (including thermal, mechanical, electrical, and/or chemical stimulation), mesotherapy, isophoresis, light therapy, vacuum therapy, and the like. Preferably, the handpiece assembly 18 administers a treatment material from at least one of the containers 26 through the line 20 to the target area of the skin while the handpiece assembly 18 engages the skin.

[0066] As used herein, the term "treatment material" is a broad term and includes, but is not limited to, medicament, a substance tending to flow or conform to the outline of its container such as fluid, gas, liquid (e.g., serums, water, saline, etc.), gel, fluidized material, additives, and/or a plurality of fine solids. The general term "fluid" is used throughout synonymously with the term "treatment material" and is to be given the same broad definition. The handpiece assembly 18 can preferably massage, abrade, ablate, or otherwise treat the target skin area while also applying a treatment material to the patient. In certain embodiments, the treatment material and tip of the handpiece 18 can work in combination for an effective and rapid skin treatment. Additionally, any number of "dry" and "wet" tips can be used alone or in combination for treatment flexibility.

[0067] With continued reference to Figure 1 the line 20 is configured to provide fluid communication between the containers 26 and the handpiece assembly 18. The line 20 can comprise one or more conduits extending between the console 12 and the handpiece assembly 18. In certain embodiments, the line 20 includes a supply line and a waste line for delivering and returning material, respectively, as detailed below.

[0068] The distal end 22 of the line 20 is connected to the handpiece assembly 18. Preferably, the line 20 includes a filter 28 that removes contaminants or impurities from the treatment material passing through the line 20. In other embodiments, the filter 28 is located in the console 12 or the manifold system 24. The console 12 can be connected to a power source such as an AC outlet. The power source can power the handpiece assembly 18 and/or

other components of the skin treatment system 10, such as, for example, pumps, valves, and the like.

[0069] In the illustrated embodiment, the console 12 comprises four casters 33 to allow for easy movement, for example, from one treatment room to another treatment room. In such an embodiment, the console 12 can be conveniently rolled on a support surface. Other means of transportation can also be employed or the console 12 can be stationary. In some embodiments, the console 12 is portable for convenient transport.

[0070] The illustrated containers 26 of Figure 1 are preferably releasably coupled to the manifold system 24. The manifold system 24 can deliver treatment material from the containers 26 to the line 20 as mentioned above. In certain embodiments, the console 12 has a user input device 32 for selecting a treatment material to be passed through the line 20 to the handpiece assembly 18. During some skin treatment procedures, treatment materials from multiple containers 26 are sequentially or simultaneously applied to the patient's skin during a "wet" mode of operation. Alternatively, the skin treatment system 10 can be used to deliver a single treatment material to the patient's skin. In some embodiments, the console 12 can be used for a "dry" mode of operation. That is, the console 12 can be used to exfoliate skin, for example, without delivering little or substantially no treatment fluid. The skin treatment system 10 can thus provide flexibility in selecting a treatment plan.

[0071] Multiple handpieces assemblies 18 and/or tips 34 can be used during a single skin treatment procedure in a wet and/or dry mode of operation. For example, a first handpiece assembly 18 may be employed to treat a patient's face and neck while a second handpiece assembly 18 may be employed to treat other larger areas of the patient's body. Thus, different handpieces 18 can be used to treat different regions of a person's body. The configurations of the handpieces 18 and tips can be selected based on the treatment material to be applied, desired interaction with the patient's skin, size of treatment area, skin condition, and the like.

[0072] With reference to Figures 2A and 2B, the handpiece assembly 18 includes a main body 30 and a tip 34. The handpiece assembly 18 can be conveniently held within the hand of a user so that the user can place the tip 34 in operative engagement with a person's skin. The user is typically an aesthetician (e.g., an aesthetician allowed to perform

microdermabrasion), doctor, and other medical personnel, such as a physician assistant and nurse practitioner. In some cases, the user is the person whose skin is being treated.

[0073] The main body 30 has contoured portions 70 at its distal end 36 so that the user can comfortably grip the handpiece assembly 18 during use. The main body 30 can have other designs to provide a comfortable grip. Figure 2A illustrates an embodiment in which the main body 30 is substantially flat on two opposing sides. Figure 4 illustrates an embodiment in which the main body 30 is generally cylindrical.

[0074] As noted above, the tip 34 can be pressed against a patient's skin to perform a skin treatment. The distal end 102 of the tip 34 may be angled with respect to the handpiece assembly 18 to increase the contact area with the patient's skin without enlarging the handpiece assembly 18 for an ergonomic and comfortable design. The angled tip 34 can lay flat on the skin while the main body 30 is angled to the skin. The angle between the face of the distal end 102 and the longitudinal axis of the handpiece assembly 18 can be selected based on the desired size of the face of the distal end 102. In alternative embodiments, the face of the distal end 102 is generally perpendicular to the longitudinal axis of the main body 30.

[0075] The tip 34 can be permanently or temporarily coupled to the distal end 36 of the main body 30. In some embodiments, the tip 34 is disposable. As used herein, the term "disposable," when applied to a system or component (or combination of components), such as a tip, container, or pad, is a broad term and means, without limitation, that the component in question is used a finite number of times and then discarded. Some disposable components are used only once and then discarded. Other disposable components are used more than once and then discarded. In some embodiments, the tip 34 is removably coupled to the main body 30 such that the tip may be removed from the main body 30 and thrown away to avoid cross-contamination. In other embodiments, the tip 34 is a reusable tip that can be cleaned, for example by autoclaving, after each use. The tip 34 can thus be used for any number of procedures as desired.

[0076] With reference to Figures 2A and 2B, the proximal end 40 of the main body 30 is operatively connected to the line 20. In the embodiment illustrated, the line 20 includes an output line 50 for removing waste from the handpiece assembly 18 and an input

line 52 for delivering treatment material to the handpiece assembly 18. The proximal end 40 of the main body 30 includes a plurality of connectors 44, 46, each connected to one of the conduits 50, 52. The illustrated input line 52 is connected to the connector 46, and the output line 50 is connected to the connector 44.

[0077] The input line 52 delivers treatment material from at least one of the containers 26 to the connector 46. The fluid then flows through the main body 30 and ultimately to the tip 34. As shown in Figure 3, the main body 30 comprises a plurality of lumens 90, 92 in a fluid communication with the tip 34. Fluid from the input line 52 can flow through the input lumen 92 to the tip 34. The fluid then flows out of the tip 34 to a target skin area. The fluid is then trapped in the space 100 between the skin 80 and the tip 34. To remove the fluid, the fluid flows proximally through the lumen 90 to the output line 50. The fluid passes through the output line 50 and into the console 12. As such, fluid can continuously or intermittently flow through the handpiece assembly 18.

[0078] To treat the person's skin 80, the handpiece assembly 18 can also be moved relative to the skin 80 such that the tip 34 maintains engagement with the skin 80. The illustrated tip 34 is configured to massage the skin 80 while also providing fluid communication with the skin 80. As detailed below in connection with Figures 5A through 10, the tip can include sharp planing blades, blades (e.g., razor blades), raised sharp areas, molded posts, grits, or other structures for treating skin, as detailed below.

[0079] When the tip 34 and treatment material are used in combination, the handpiece assembly 18 preferably exfoliates dead skin cells and extracts impurities by applying a vacuum while simultaneously bathing the healthy underlying skin with active treatment material. The active treatment material can facilitate cleansing, exfoliating, hydrating, and/or provide residual antioxidant protection. The treatment material and tip 34, alone or in combination, can effectively and rapidly treat the target skin area. The waste material, including the used treatment material, removed skin, and/or grit, can then be drawn back through the tip 34, the main body 30 via lumen 90, and into the connector 44. The waste then flows into the output line 50 for subsequent disposal, as detailed below in connection with Figure 4.

[0080] In some embodiments, including the illustrated embodiment of Figure 3, the tip 34 has a tip connector 98 (see Figures 5C and 5D) that mates with the lumen 92. The tip 34 can provide fluid communication from the tip connector 98 to the space 100 via a through-hole 122. One or more through-holes 114 define fluid passageways through the tip 34 between the space 100 and the intermediate chamber 116.

[0081] The intermediate chamber 116 can be interposed between the throughholes 114 and the lumen 90. The intermediate chamber 116 is preferably defined by the distal face 43 of the main body 30 and the proximal face 41 of the tip 34. The intermediate chamber 116 can provide equalization of fluid between the tip 34 and the body 30. As such, a generally equal vacuum is applied to both through-holes 114. The fluid can flow through the through-holes 114, into the intermediate chamber 116, and then into the lumen 90. In some embodiments, however, the fluid flows directly from the through-holes 114 to the lumen 90 without passing through an intermediate chamber 116.

[0082] The tip 34 can have one or more sealing members to form a fluidic seal between the tip 34 and the main body 30. The illustrated main body 30 includes a sealing member 47 that engages the inner surface of the skirt 64 of the tip 34. The sealing member 47 can be a compliant member comprising rubber, polymer, plastic, or other suitable material for forming seals. In some embodiments, the sealing member 47 is an O-ring made of rubber.

[0083] With continued reference to Figure 3, during use, treatment material can flow distally through the lumen 92 into the through-hole 122. The treatment material then proceeds through and out of the through-hole 122 into the space 180. Preferably, the treatment material spreads radially outward to the peripheral through-holes 114. The material can then flow through the through-holes 114 into the lumen 90 for subsequent removal.

[0084] In alternative embodiments, the fluid flows in the opposite direction. That is, the line 50 delivers fluid through the lumen 90 into the tip 34. The fluid flows through the intermediate chamber 116 and the through-holes 114. The fluid then flows to the chamber 100 and inwardly through the tip connector 98 to the lumen 92. The fluid proceeds proximally along the lumen 92 and ultimately into the line 52.

[0085] In yet another embodiment, the handpiece assembly 18 comprises two or more input lumens 90. Such a design allows mixing of two or more treatment materials within

the handpiece assembly 18 or space 100, which would be useful for treatments with fluids that react or are unstable or degrade when stored or mixed.

[0086] As depicted in Figure 4, the handpiece assembly 18 can optionally include a controller 60 that is configured to control the fluid flow out of the tip 34. The illustrated controller 60 can be operated to increase or decrease the flow rate of treatment fluid out of the tip 34. Alternatively or additionally, the controller 60 may control the flow rate of waste fluid flowing through the handpiece assembly 18 to the output line 50. When control of the waste treatment fluid and waste fluid is independent, the detention time of the fluid in the tip 34 may be adjusted as desired.

[0087] The illustrated controller 60 is a generally cylindrical body that is pivotally connected to the main body 30. Figure 4 illustrates an embodiment in which the controller 60 is recessed into and partially hidden by the main body 30, although in other embodiments the controller 60 may encircle the main body 30. The controller 60 may include textured grooves to provide for easier manipulation. In some embodiments, the controller 60 is located near the distal end 36 of the handpiece assembly 18 proximal or distal of the contoured portion 70. The type and configuration of the controller 60 can be selected based on the design of the handpiece assembly 18. The controller 60 can also be a rotatable knob or handle, digital controller, and the like.

[0088] The handpiece assembly 18 can also include one or more flow rate controllers within the main body 30 that cooperate with the controller 60 to adjust the fluid flow out of the tip 34. For example, the controller 60 may comprise a flow control valve such as a globe valve, butterfly valve, needle valve, or variable orifice. Other types of flow rate controllers can also be used, such as an electrically controlled solenoid valve. In embodiments where the fluid flow is electronically controlled, the valve system may alternatively be located in the console 12 or manifold system 24. Separate devices can also be used to control the flow of treatment material. For example, clamps, pinch valves, or other suitable devices can be used to control fluid flow through the lines 50, 52.

[0089] Various types of tips 34 can be used with the handpiece assemblies 18 illustrated in Figures 1 to 4. Figures 5A through 10E illustrate embodiments, for example, of

tips 34 that can be used with these handpiece assemblies 18. These tips 34 can be interchangeable to provide maximum treatment flexibility.

[0090] As shown in Figures 5A through 10E, the tip 34 comprises the skirt 64 and a tip main body 66 extending outwardly therefrom. The skirt 64 is preferably configured to provide a gripping surface suitable for applying leverage or force sufficient to remove the tip 34 from the main body 30. In some embodiments, the skirt 64 includes internal threads such that it can be mechanically coupled to external threads on the distal end 36 of the main body 30. In some embodiments, the tip 34 can be press fit onto the main body 30. Frictional forces can retain the tip 34 to the main body 30.

[0091] With respect to Figures 5A through 7, the tip 34 comprises an outer member 120 and an inner member 124. The outer member 120 preferably defines the periphery of the distal end 102 of the tip 34. When the tip 34 is placed against skin, the outer member 120 can inhibit fluid flow between the tip 34 and the skin and define the outer portion of the space 100.

[0092] The inner member 124 is preferably spaced from the outer member 120 to define one or more channels. The illustrated outer member 120 defines a continuous channel 140 that extends outwardly from the central through-hole 122 towards at least one of the outer through-holes 114. The inner member 120 can form the sidewalls of the channel 140. Any suitable configuration of channels 140 can be used to provide fluid flow along a flow path. The illustrated channels 140 have a somewhat U-shaped axial cross-sectional profile, as depicted in Fig. 8A. The channel 140 can have a V-shaped, curved, or any other suitable cross sectional profile. A flow path between the through-holes in the tip 34 can be defined at least in part by the channels.

[0093] The spiral-like pattern of the inner members 124 in Figures 5 through 7 varies. For example, the inner member 124 in Figure 5 extends about a longitudinal axis 143 of the tip 34 approximately one and a half times, the inner member 124 in Figure 6 extends about the tip 34 approximately two and a half times, and the inner member 124 in Figure 7 rotates about the tip 34 approximately one and three quarters times. In some embodiments, the inner member 124 subtends an angle of about 70°, 135°, 180°, 210°, 225°, 270°, 315°, 360°, and angles encompassing such ranges. In yet other embodiments, the inner member 124

subtends an angle of about 405°, 450°, or 495°. The tightness of the spiral in combination with the location and number of through-holes 114 affects the detention time of the fluid in the channel 140. Generally, a tighter spiral results in a longer the pathway (i.e., the length of the channel 140) from delivery through-hole 122 to the return through-holes 114. Fluid traveling down the longer pathway is in contact with the person's skin 80 for a longer period of time. Thus, tighter spirals lead to increased contact time between the fluid and the skin 80. These longer contact times can increase the effectiveness of the fluid because the skin can absorb an adequate amount of active ingredients of the treatment material. Fluid retention time on the patient's skin can be increased to increase hydration, serum retention, and the like. Shorter pathways can be used to reduce contact time between the fluid and the patient's skin. In some embodiments, for example, the tip 34 of Figures 5A to 5D has a relatively short pathway to limit absorption of fluids, achieve relatively high flow rates, and the like.

[0094] Additionally, the inner members 124 can be configured to remove tissue. The inner member 124 can be an abrasive member designed to remove tissue when the inner member 124 slides along a person's skin. The user may select a tip 34 based on the appropriate detention time and abrasiveness for the treatment being applied. For example, the tip 34 illustrated in Figure 7 will provide less abrasion than the tip illustrated in Figure 6, but the tip 34 illustrated in Figure 7 will provide a longer detention time than the tip 34 illustrated in Figure 5.

[0095] The illustrated tip 34 includes a generally continuous inner member 124 that extends from near the through-hole 122 towards at least one of the through-holes 114. In other embodiments, the tip 34 can have a plurality of inner members 124. For example, the inner members 124 can be linear, curved, and may be continuous or discontinuous.

[0096] The handpiece assembly 18 can be moved while the spiral-like inner member 124 engages the patient's skin. The movement of the handpiece assembly 18 can increase the effectiveness of the treatment material expelled out of the tip 34. In some embodiments, for example, the tip 34 can be used with a lifting treatment material that facilitates extractions of, for example, sebum, blackheads, skin, or other substances (e.g., oils, dead skin, etc.). The lifting treatment extraction producer can unclog pores to improve the treated skin's overall appearance. To facilitate extractions, the handpiece assembly 18 can be

twisted or rotated while the tip 34 is pressed against the patient's skin. The twisting action and the lifting treatment material can work in combination for effective extractions. In alternative embodiments, a handpiece assembly 18 can also be used without a lifting treatment material for extractions by employing the twisting motion.

[0097] In certain embodiments, the spiral-like tip 34 massages the skin 80. In other embodiments, the spiral-like tip 34 ablates the skin 80. For example, the inner members 124 may act as blades to cut thin layers from the skin 80 when the user twists the handpiece assembly 18. Twisting the handpiece assembly 18 causes the tip 34 to rotate about the twisting axis, rotating the sharp inner members 124 against the skin 80, which causes ablation. Thin layers of skin can thus be removed by the handpiece assembly 18. Additionally or alternatively, the spiral-like tip 34 may plane along skin when a fluid is applied to the skin. The planing tip 34 can remove a thin layer of the skin (e.g., the stratum corneum, preferably hydrated stratum corneum). Accordingly, the user can use the handpiece assembly 18 to remove a particular amount of skin.

[0098] A vacuum can be applied by the handpiece assembly 18. For example, the console 12 can have a pump that applies a vacuum via the output line 52. The negative pressure draws waste material into the through-holes 114 and out of the handpiece assembly 18. When the tip 34 engages the patient's skin, the vacuum can draw the skin against the tip 34 to enhance the effectiveness of the inner members 124. The vacuum can be increased or decreased to increase or decrease, respectively, for example, frictional forces, depth of cutting, amount of abrasion, and the like. To rapidly remove skin, a strong vacuum can be applied to the person's skin so that the skin is pulled against the inner member 124. The vacuum can also facilitated removal of the waste fluid captured between the tip 34 and the patient's skin. A vacuum can also be used in combination with the tips illustrated in Figures 1-10E. The vacuum can also be varied based on the thickness, compliance, and other properties of the skin surface

[0099] The tip 34 can have any suitable number of through-holes 114, 122 to achieve the desired fluid flow between the skin 80 and the tip 34. For example, Figure 5A to 5D illustrate an embodiment with two through-holes 114. The number of through-holes 114, 122 can be chosen based on the cross-sectional areas of the through-holes 114, 122 and the

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expected flow rate of the fluid through the channel 100. Preferably, one end of through-holes 114 is positioned between the inner member 124 and the outer member 120. In some embodiments, including the embodiments illustrated in Figures 5A through 7, the through-holes 114 are positioned generally midway between the outer member 120 and inner member 124.

[0100] The tips can also have one or more energy sources for delivering energy to the skin. Radiant energy, heat, and the like can be delivered to the skin by the tips. The tip 34 illustrated in Figures 6A to 6D has a pair of energy sources 151 in the form of LEDs. When the tip 34 is proximate the patient's skin, the LEDs 151 can deliver a desired amount of energy to the skin. The illustrated tip 34 has four LEDs; however, any number of LEDs can be employed.

[0101] In alternative embodiments, the tips can carry deployable material. The structure 151 can be in the form of a cavity or pocket that contain and carry material that is released when it engages the treatment fluid. The material in the cavities 151 can be made of any of the treatment materials disclosed herein, and can be in a solid form. For example, the cavities can hold lubricant or soap that is released when the tip is applied to skin.

[0102] Figures 8A through 8D illustrate another embodiment of a tip 34 when the inner member 124 includes a ring with perforations 140 that provide fluid communication between the through-hole 122 and through-holes 114. A space 100 can be defined between the inner member 124, perforations 140, and outer member 120 when the tip 34 is in operative engagement with the skin 80. Figure 8C illustrates an embodiment with eight through-holes 114. In the embodiment illustrated in Figures 8A through 8D, the inner member 124 forms recessed regions 171, allowing for a larger area of fluid contact with the skin 80 then the tips 34 illustrated in Figures 5 through 7.

[0103] Figures 9A through 9D illustrate another embodiment of a tip 34 comprising an outer member 120 and an array of protruding inner members 124. A recessed region 191 is defined between the inner members 124 and the outer member 120. The inner members 124 of Figures 9A to 9D can be posts that are similar to the inner members described above. The post 124, for example, can have relatively sharp edges. These edges can be used to remove skin. In some embodiments, the inner members 124 can have relatively

sharp planing blades. The tip 34 illustrated in Figures 9A through 9D allows for more freedom of movement of the treatment fluid. The protruding inner members 124 preferably abrade the skin differently than the tips 34 illustrated in Figures 5A through 8. Rather than being able to ablate large sections of the skin 80 like a blade, as the tips 34 in Figures 5A-8 can do in certain embodiments, the plurality of protruding inner members 124 can ablate or roughen a plurality of smaller sections of the skin 80.

[0104] The protruding member 124 can optionally contain treatment material. For example, the protruding members 124 can be generally cylindrical members having a passageway or chamber 127 that holds treatment material. Thus, fluid can be used in combination with treatment material coupled to the tip 34.

[0105] With reference to Figures 5A through 9, the inner member 124 preferably has a height from the distal surface that is generally less than the height of the outer member 120. In some non-limiting embodiments, the height of the inner member 124 is less than 90%, 70%, 60%, 50%, and ranges encompassing such percentages of the height of the outer member 120. However, in other embodiments, the inner member 124 has a height that is generally greater than the height of the outer member 120. For example, the inner member 124 can have a height that is 10%, 20%, 30%, 40%, 50% greater than the height of the outer member 120. The inner member 124 can thus protrude from the tip 34. A skilled artisan can select a desired height of the inner member 124 and/or the outer member 120 to achieve the desired interaction with the person's skin 80.

[0106] Figures 10A through 10E illustrate another embodiment of a tip 34 comprising an outer member 120 and a pad 128. Figure 10E depicts the pad 128 removed from the tip 34. The tip 34 preferably has a mounting surface 227 that is surrounded by the outer member 120. The pad 128 can be permanently or temporarily coupled to the mounting surface 227.

[0107] The pad 128 preferably has a distal surface 224 configured to treat a person's skin. In some embodiments, the pad 128 is a disposable pad that comprises treatment material attached thereto. For example, the pad 128 may comprise vitamins, moisturizers, antioxidants, and the like. Preferably, the pad 128 comprises an adhesive proximal side and a distal side 224 including an abrasive surface. The abrasive surface can

have grit, a plurality of members (e.g., members similar to the inner members 124 described above), or the like. The pad 128 can be permanently coupled to the mating surface 227 so that the tip 34 can be used for an extended length of time, or for multiple treatments. In alternative embodiments, the tip 34 is removable for maximum flexibility in selecting pad abrasiveness, and also allows the user to make changes to the tip 34 without changing the tip 34 in its entirety. The grit rating of abrasive surface of the distal surface 224 can be selected based on the desired rate of skin removal.

[0108] The illustrated pad 128 is generally elliptical and planar. In alternative embodiments, the pad 128 can be polygonal, circular, or have any other shape as desired. The pad 128 can have cutouts 225 that can match the through-holes 114, 122. The cutouts 225 can be aligned with the through-holes 114, 122 when the pad 128 is coupled to the mounting surface 227 of the tip 34, as shown in Figures 10A to 10D. The illustrated mounting surface 227 defines a plurality of tip flow channels 229 extending between the through-holes 114, 122. When the tip 34 is assembled, fluid can flow along the channels 229 between the main body 66 and the pad 128.

[0109] Various types of adhesives can be used to temporarily or permanently couple the pad 128 to the mounting surface 227. As used herein, the term "adhesive" is a broad term and includes, but is not limited to, coupling agents, glues, bonding materials, or the like. In some embodiments, for example, waterproof pressure sensitive adhesives are used for releasably coupling the pad 128 to the mounting surface 227. In some embodiments, the pad 128 can be permanently coupled to the mounting surface 227. For example, the pad 128 can be bonded or fused to the main body 66. Additionally or alternatively, snap fittings, fasteners, or other coupling structures can be used to mount the pad 128.

[0110] The tip 34 described above can be used for wet or dry modes of operation. As such, the tip 34 can be used for wet exfoliation or dry exfoliation. In some embodiments, the tip 34 is used in a dry mode to remove a desired amount of skin. After removing a desired amount of skin, the tip 34 can be used in a wet mode on the same or different area of the patient's kin. During wet mode, fluid can be passed out of the tip 34 onto the patient's skin. The wet tip 34 can exfoliate, hydrate, and/or perform other types of treatments. Alternatively, the tip 34 can be used in a wet mode and than a dry mode. The sequence of wet and dry

modes of operation can be selected based on the type of tip, treatment material, skin condition, and the like.

- **[0111]** Although the handpiece assemblies are primarily discussed with respect to use with treatment material, the handpiece assemblies can be used without treatment material, i.e., the handpieces can be used in a dry procedure. Dry procedures can be used for non-hydration procedures and may require less post-procedure clean up.
- [0112] Various fabrication techniques can be employed to make the tips 34 as mentioned above in connection with Figures 11A-11E. In some embodiments, the tips 34 are formed through a molding process, such as an injection or compression molding process. The tips 34 of Figures 5A to 5D, for example, can be monolithically formed through an injection molding process. Alternatively, the tip 34 of can have a multi-piece construction, if desired. The tips 34 can be made of polymers, rubbers, metals, or other suitable materials.
- **[0113]** The tips 34 can also be fabricated in a multi-step process. For example, the main body 66 and skirt 64 can be formed in a single process. A textured surface (e.g., pad, inner members 124, etc.) can be applied to the main body 66 in a subsequent process. The textured surface can be formed by cutting, embossing, adding material (e.g., a pad, adhesive grit, etc.), a roughening implement, stamping process, or other suitable texturing means.
- [0114] The tips can have associated treatment materials, including, for example, a medicament. As used herein, the term "medicament" is a broad term and includes, without limitation, growth agents, growth factors or hormones, growth inhibitors, serums, treatment material, cleaners, vitamins, exfoliators, lubricants, or other substances that can be used to treat a patient's skin. The medicament can be associated with the tip 34 by imbedding, overlaying, coating, impregnation, co-mixing, absorption, or other suitable means for associating the medicament with the tip 34. The medicament can be hardened so that it can further enhance massaging and/or abrasion. In some embodiments, the medicament forms hardened grit that can be imbedded on the surface of the tip 34. The grit can work in combination with the inner members 124 to treat a person's skin. If a fluid is used, the fluid can facilitate the release of the medicament from the tip 34. In some embodiments, the medicament comprises or more bioactive substances, such as antibiotics, substances for accelerating the healing of the wound, cell proliferation agents, and the like. Such bioactive

substances may be desirable because they contribute to the healing of damaged or removed skin, as well as reducing the likelihood of infection.

[0115] Figures 11A to 11E illustrate different cross-sections of inner members that can be used with the tips illustrated in Figures 1-10E. The inner member 124 of Figure 11A has generally sharp tip 253 for removing tissue. The tip 253 can have any suitable configuration for removing tissue from a patient. Figure 11B illustrates an inner member 124 that has a pair of cutting edges 253 and a generally trapezoidal shape. Figure 11C illustrates an inner member 124 that has a surface treatment 255 for treating a person's skin. The surface treatment 255 can be serrations, grooves, grit, roughed surface, protrusions, and the The type of surface treatment 255 can be selected based on the procedure to be performed. Figure 11D illustrates another inner member 124 having a pair of cutting edges 253. The cutting edges 253 are spaced from each other and protrude outwardly. The central portion 257 is generally V-shaped; however, the central portion 257 can have other configurations. For example, Figure 11E illustrates a central portion 257 that has a curved, semi-circular profile. In alternative embodiments, the inner member 124 can have more than two cutting edges.

[0116] The inner members 124 of Figures 11A to 11E can be formed by a molding process, such as an injection molding process. Additionally or alternatively, the inner members 124 can be formed by a machining process. For example, at least a portion of the inner member 124 of Figures 11D to 11E can be formed through a machining process. In some embodiments, the central portion 257 can be formed by cutting material out of the inner member 124. The fabrication process (e.g., molding, injection molding, compression molding, machining, milling, etc.) can be selected based on the design of the inner members.

[0117] Referring again to Figure 1, the console 12 includes a manifold system 24 that holds containers 26 containing treatment fluids and/or antimicrobial agents. In a preferred embodiment, the console 12 holds four containers 26, three containing different treatment fluids and one containing an antimicrobial agent. In the illustrated embodiment, the largest container 26 holds antimicrobial agent for cleaning and sanitizing the fluid lines of the console 12. The containers 26 can also hold other suitable substances, such as surfactants,

disinfectants, sanitizers, and the like, for cleaning and/or sanitizing the skin treatment system 10.

[0118] As shown in Figures 12 and 12A, the container 26 can be a fluid source such as a bottle comprising a body 262, a neck 264, and a closure assembly 266. The neck 264 includes a threaded neck finish and the closure 266 includes a threaded interior surface, allowing it to screw onto the neck 264. The closure 266 can be permanently or temporarily coupled to the neck 264. The illustrated bottle 26 is a non-refillable, disposable bottle. As used herein, the term "non-refillable" is a broad term that includes, but is not limited to, components that cannot be easily refilled with a treatment material. For example, the illustrated non-refillable bottle 26 cannot be refilled without substantial difficulty.

[0119] Bodies 262 of the containers 26 may be formed by stretch blow molding a preform into the desired shape. In other embodiments, the body 262 and a neck 264 can be formed by extrusion blow molding. For example, the bottle of Figure 13A can be formed by extrusion blow molding. The containers 26 can be made of polymers, thermosets, thermoplastic materials such as polyesters (e.g., polyethylene terephthalate (PET)), polyolefins, including polypropylene and polyethylene, polycarbonate, polyamides including nylons, epoxies, and/or acrylics. The material can be virgin or post-consumer/recycled. However, other suitable materials known in the art can also be used.

and 12B, the closure 266 is welded (e.g., induction welded) to an upper edge 269 of the neck 264. A sealing member 267 can be interposed between the upper edge of the neck 269 and the closure 266. In some embodiments, the sealing member 267 is made out of a conductive metal, such as aluminum, that preferably does not react with the fluid in the bottle 26. In other embodiments, the seal 267 comprises plastic, such as cellophane, polypropylene, or other suitable material, preferably suitable for coupling to the closure 266 and upper edge 269. In some embodiments, the sealing member 267 comprises metal that is at least partially coated with a polymer, such as polypropylene. Induction welding can be used to couple the polypropylene to the closure 266 and neck 264, both of which can also comprise polypropylene.

- **[0121]** Figure 14A illustrates another embodiment of a bottle 26. The closure 266 includes locking members 268 that engage the neck 264, but do not allow removal of the closure 266 from the bottle 26 when assembled, as shown in Figure 13B. The locking closure 266 may include a sealing member 267, for example as described above.
- **[0122]** In either of the embodiments illustrated in Figures 12 through 14B, the closure 266 may then be sealed with a second closure (not shown), creating multi-piece closures. For example, a screw cap can be threaded onto the external threads 273 at the top end of the closure 266. In these embodiments, the treatment fluid inside the bottle 26 may be accessed by puncturing or otherwise breaking the seal 267, for example with an insertion tip assembly 59 (see Figure 13A).
- [0123] The insertion tip assembly 59 has an elongate member 161 that comprises a fluid pick up conduit 62 and lancing tip 64 extending from the distal end of the conduit 62. In the illustrated embodiment, the lancing tip 64 is a tubular member having a somewhat sharp distal end. To access treatment fluid in the bottle 26, the lancing tip 64 can be inserted into the closure passageway 73 of the closure 266. The lancing tip 64 can be advanced through the passageway 73 until it breaks the sealing member 267. The elongate member 161 can be sufficiently rigid such that it can break the sealing member 267 without buckling. The elongate member 161 can comprise metal, polymers, plastics, or any suitable material.
- [0124] The fluid pick up conduit 62 and lancing tip 64 can be slid through the passageway 73 until the stop 91 is spaced from the upper edge of the closure 266. In alternative embodiments, the insertion tip assembly 59 can be slid through the passageway 73 until the stop 91 contacts the upper edge of the closure 266, as shown in Figure 12B. After the insertion tip assembly 59 and bottle 26 are assembled, as shown in Figure 12B, the treatment material can be draw upwardly through the lancing tip 64 and the fluid pick up conduit 62. The treatment material can flow through a passageway of the insertion tip assembly 59 and to the manifold assembly 24.
- [0125] In certain embodiments, the treatment fluid applied from the containers 26 may be selected from the console 12 for a particular treatment or skin type. In one embodiment, the treatment fluid may comprise a skin rejuvenation serum. Skin rejuvenation serum cleans the skin 80 deeply while softening sebum and impurities to aid in extractions.

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Skin rejuvenation serum also assists in dislodging dead cells for extraction and exfoliation by the tip 34 as well as providing residual hydration that aids in firming and smoothing fine lines, resulting in clean, refined, and ultra-moisturized skin 80. Preferably, a skin rejuvenation treatment serum is active-4TM, available from Edge Systems Corp., 2277 Redondo Ave., Signal Hill, CA, 90755, (800) 603-4996. In another embodiment, the treatment fluid may comprise a salicylic acid serum. A salicylic acid serum cleans oily skin deeply while softening sebum and impurities to aid in extraction and exfoliation by the tip 34. Hydration additives in the salicylic acid serum create an ultra-moisturized skin surface, and is blended to remain on the face for the best possible benefit. Preferably, a salicylic acid treatment fluid is beta-hdTM, also available from Edge Systems Corp. In yet another embodiment, the treatment fluid may comprise antioxidants. The antioxidant serum is a hybrid that combats free radicals and environmental damage to the cells. The antioxidant serum is formulated with a blend of the most effective antioxidant ingredients. The antioxidant serum is an absorbable, leave-on service that improves the appearance of age signs as well as texture and clarity. Preferably, an antioxidant treatment fluid is antiox-6TM, also available from Edge Systems Corp. The treatment fluids may comprise agents known to be beneficial to skin healing and/or hydration including but not limited to glucosamine, laminaria digitata extract, yeast extract, carbamide, lactic acid, sodium lactate, honey extract, pentylene glycol, spirea ulmaria extract, camellia sinensis leaf (white tea) extract, horse chestnut extract, stabilized vitamins A, B1, B6, B12, C, and E, tocopherol, inositol, calcium panthothenate, linoleic acid, rosemarinus officinalis extract, biotin, and aloins such as anthraquinone gycosides, polysaccharides, sterols, gelonins, and chromones.

[0126] A single treatment may comprise the serial use of several treatment fluids from the containers 26. For example, the treatment of acne prone skin may comprise salicylic treatment followed by antioxidant treatment, the treatment of aging skin may comprise skin rejuvenator treatment followed by salicylic treatment followed by antioxidant treatment, the treatment of congestion (e.g., blackheads) may comprise skin rejuvenator treatment followed by salicylic treatment followed by antioxidant treatment, the treatment of damaged skin (e.g., due to medication or smoking) may comprise skin rejuvenator treatment followed by antioxidant treatment, the treatment of skin may comprise skin rejuvenator treatment followed

by salicylic treatment followed by antioxidant treatment, the treatment of hyperpigmentation may comprise skin rejuvenator treatment followed by salicylic treatment followed by antioxidant treatment, the treatment of melasma may comprise skin rejuvenator treatment followed by salicylic treatment followed by antioxidant treatment, the treatment of sensitive skin may comprise skin rejuvenator treatment followed by antioxidant treatment, and the treatment of thin skin may comprise salicylic treatment followed by antioxidant treatment. Alternatively, a single treatment may comprise the parallel use of a combination of treatment fluids from the containers 26, for example using a handpiece with a plurality of input lumens 90 as described above. Treatment time with each treatment fluid is preferably about 2 to 20 minutes, but may be longer or shorter depending on the patient, the tip 34 used, and the treatment itself.

[0127] The treatment materials can be used for acne (e.g., by removing oils, bacteria, etc.), melasma, damaged skin (e.g., sun damaged skin, burns, free radical damage, etc.), extractions, skin lightening and/or brightening, skin lines (e.g., fine lines, wrinkles, creases, etc.), dry skin, and the like. The treatment materials can improve skin elasticity and overall health of the skin. For example, if the skin is damaged, antioxidants can be applied to damaged area. Accordingly, the skin treatment system 10 can be used to improve the health, appearance, and/or function of a person's skin.

[0128] Additionally, the line 20 may be periodically flushed with a fluid (e.g., a antimicrobial fluid, water, etc.) contained in one of the containers 26. Antimicrobial fluids can contain any disinfecting agent compatible with skin including, but not limited to, butylene glycol, phenoxyethanol, and methyl isothiazolinone. Preferably, an antimicrobial fluid is rinseawayTM, available from Edge Systems Corp. The line 20 should be flushed with antimicrobial fluid at least at the end of each service day. Flushing with antimicrobial fluid is more important when the system is not used for consecutive days.

[0129] As illustrated in Figure 1, the console 12 comprises the manifold system 24 designed to draw treatment fluid from at least one of the containers 26 based on user selection. The manifold system 24 may include switches 29, each corresponding to one of the bottles. The switches 29 can be used to control fluid flow from the containers 26. The illustrated switches 29 can be used to turn Off/On to permit or prevent fluid flow from the

bottles 26. The illustrated manifold system 24 has a switch corresponding to each bottle 26. As such, the switches can be used to independently control fluid flow from each of the bottles 26. In other embodiments, a single switch can be used to control the flow of treatment fluid from more than one of the bottles 26.

[0130] With continued reference to Figure 1, the button 246 can be operated to release a corresponding bottle 26 from the manifold system 24. Figure 15A is front perspective view an embodiment in which the manifold system 24 contains quick-release locks connected to the button 246, wherein the quick-release locks capture the containers 26. As illustrated in Figures 14B and 14C, the quick-release locks 242 engage the closure 266 when the bottle 26 is inserted into the manifold system 24. When the quick-release lock 242 is manually engaged by a user, for example by pulling the button 246, a slide structure 249 surrounding the closure 266 releases, thereby releasing the bottle 26 from the manifold system 24.

[0131] Figure 15E illustrates the slide structure 249 holding the neck 264 of the bottle 26 in an elongated slot 309. The button 246 can be pushed inwardly (indicated by the arrow 313) so that the neck 264 is positioned within the enlarged aperture 317. The bottle 26 can then slide downwardly out of the manifold system 24. The bottle 26 can be replaced with another bottle 26.

[0132] To couple the bottle 26 to the manifold system 24, the closure 266 can be inserted through the aperture 317 of the slide structure 249 when the button 246 is pushed in. Once the closure 266 engages the stop surface 333 (Figure 15C), the spring 247 can push the slide structure 249 until the flange 335 of the bottle 26 rests on the slide structure 249, as shown in Figure 15C. In such a position, the manifold system 24 securely holds the bottle 26. The illustrated slide structure 249 has a sloped portion 269 that can cam along the flange 335 as the button 246 moves outwardly. Accordingly, the slide member 249 can push the closure 266 upwardly until the closure 266 is locked with the manifold 24, as shown in Figure 15C. The quick-release lock 242 is loaded with spring 247 such that the slide structure 249 is biased towards the button 246.

[0133] The manifold system 24 can have a modular design so that it can be removed from the console 12. In some embodiments, the manifold system 24 and associated

containers 26 can be removed and transported away from the console 12. Accordingly, the modular manifold systems can be interchanged to provide treatment flexibility. Alternatively, the manifold system 24 can be permanently mounted to the console 12.

[0134] Figures 15B and 15C illustrate cross-sectional views of the manifold system 24 taken along lines 15B-15B and lines 15C-15C, respectively. Both Figures 15B and 15C show the fluid pick up conduit 62 in operative engagement with the bottle 26 through the seal 267. Suction device(s) is preferably in fluid communication with the fluid pick up conduit 62, and draws fluid out of the bottle 26 through the fluid pick up conduit 62. The fluid can flow through a passageway 161 (see Figure 15C) extending through the pick up conduit 62. The fluid can flow to and through the lumen 171 towards the line 20. If the switch 29 is off, the fluid from one or more of the upstream bottles can flow along the passage 173. The manifold system 24 then directs the fluid into the line 20.

[0135] In certain embodiments, including the embodiment of Figure 1, the console 12 comprises a computer with display 32. In one embodiment, the display 32 is a user input device comprising a touch screen that controls the computer. In other embodiments, the computer may be controlled by input devices such as a keyboard, keypad, mouse, pointing device, or other input device. The computer controls a variety of functions in the console 12. For example, the computer may control the manifold system 24, and thereby the flow of treatment fluids from the containers 26. In one embodiment, the fluid flowing through the line 20 can be changed by pressing a single button on the touch screen display 32. In another embodiment, the computer contains teaching tutorials that are exhibited on the display 32. In yet another embodiment, the user may change program chips within the computer according to treatment and/or patient. In still another embodiment, the computer records patient and treatment data, for example data gathered during treatment.

[0136] The console 12 can also comprise a mechanical system for controlling fluid flow from the containers to the handpiece. One or more pumps, valves, fluid lines, and the like can cooperate to deliver fluid from the containers to the handpiece. The console 12 can be powered pneumatically, electrically, or by any other suitable powering means. The mechanically drive console 12 can have manual controls for controlling fluid flow to the handpiece.

- [0137] The console 12 can also comprise additional handpieces suitable for other types of skin treatment. These additional handpieces can be used for pre-treatment or post-treatment in combination with other modalities. For example, the console 12 may include a handpiece for diamond tip abrasion, or "crystal-free" microdermabrasion, as described above. Such a handpiece may be useful for more aggressive treatments, in addition to treatment with the handpiece assembly 18. The diamond tips can range from fine to extra coarse.
- [0138] In some embodiments, the console 12 comprises a handpiece including at least one light emitting diode (LED). Light therapy has been shown to improve skin. For example, red light between about 600 and about 700 nanometers and infrared LED light between about 700 and about 1,000 nanometers reduces the appearance of fine lines and superficial hyperpigmentation. For another example, blue LED light at about 430 nanometers improves the appearance of oily and acne-prone skin. Other benefits of light therapy include promotion of collagen production, increased circulation and moisture retention, smoothing of skin texture, and improvement of skin firmness and resilience.
- [0139] The console 12 can comprise handpieces for vacuum therapy such as lymphatic drainage and cellulite massage. Vacuum therapy enhances the effects of treatment with the handpiece assembly 18 and LED light therapy. Preferably, the vacuum therapy handpieces are sized appropriately for facial massage and body massage. An example of a multi-modality protocol using a plurality of handpieces comprises diamond tip abrasion, treatment with handpiece assembly 18 and at least one treatment fluid from containers 26, vacuum therapy, red light therapy, and application of sunscreen, for example at a minimum skin protection factor (SPF) of 15. The various modalities may be included and ordered by the user depending on the desired outcome of the overall treatment.
- [0140] The console 12 optionally includes any of a plurality of additional features. For example, a digital camera may be used to take pictures of the patient before and after treatment, and the pictures may be stored on the computer. The computer may hold client medical and treatment records. The computer may be connected to a network. The console 12 may store disks. The console 12 may include an ultrasound unit. The console 12 may include a stimulator, such as an electrical stimulator. The console 12 may include an iontophoresis handpiece. The number of additional features is limitless when considering the

range of features that a user may wish to incorporate with the treatment provided by the handpiece assembly 18.

- **[0141]** Figure 16 depicts another embodiment of the skin treatment system 10, which may be generally similar to the embodiment illustrated in Figure 1, except as further detailed below. Where possible, similar elements are identified with identical reference numerals in the depiction of the embodiment of Figure 1.
- [0142] The line 20 includes an output line 50 for removing waste from the handpiece assembly 18 and an input line 52 for delivering treatment material to the handpiece assembly 18. A valve 300 can be disposed along the input line 52 to inhibit backflow of treatment material. The console 12 can pump treatment material through the input line 52 to the handpiece assembly 18 when the handpiece assembly 18 is applied to the person's skin, as detailed above. The fluid flow through the input line 52 can be reduced or stopped so that the handpiece assembly 18 can be removed from the patient's skin. The valve 300 can inhibit the flow of fluid through the input line 52 towards the console 12. A desired amount of treatment material can therefore be contained in the handpiece assembly 18 and the section 310 of the input tubing 52 extending between the valve 300 and the handpiece assembly 18. When the handpiece assembly 18 is applied to a patient's skin, a vacuum can be applied to the output line 50. The vacuum can draw the treatment material out of the handpiece assembly 18 without a substantial or noticeable delay.
- **[0143]** In some embodiments, the valve 300 can be a one-way valve, such as a duckbill valve, check valve, or other type of valve for inhibiting fluid flow. In alternative embodiments, the valve 300 can comprises a plurality of valves (e.g., one-way valves, flow regulators, adjustable valves, etc.).
- **[0144]** Figure 17 is a cross-sectional view of the line 20. The input and output lines 50, 52 can have different or similar cross sectional flow areas. The illustrated output line 50 has a passageway 312 with a diameter that that is less than the diameter of a passageway 314 of the input line 52. Accordingly, a relatively large slug of treatment material can be stored in the section 310 extending distally from the valve 300 to the handpiece assembly 18. The slug can be quickly delivered out of the handpiece assembly 18 once the handpiece assembly is applied to a patient's skin as detailed above.

- [0145] In some embodiments, the section 310 of the output line 50 has a length L greater than 6 inches, 12 inches, 18 inches, 24 inches, and ranges encompassing such lengths. In some embodiments, the section 310 of the output line 50 has a length L greater than 24 inches, 30 inches, 36 inches, and ranges encompassing such lengths. The passageway 312 can have a cross-sectional area that is at least 10%, 30%, 50%, 75%, or 100% greater than the cross-sectional area of the passageway 314. The length L and the diameters of the passageways 312, 314 can be selected based on the desired amount of treatment material to be stored in the line 20, delivery and removal rates.
- [0146] Figures 18 and 19 illustrate a modular handpiece assembly 360 having a cartridge 362 containing treatment material. The illustrated handpiece assembly 360 can be used to deliver treatment material from the cartridge 362. The main body 30 can have a pump for pressuring the treatment material. In one embodiment, the fluid control device includes a power supply, such as a battery, which provides power to electrical components (e.g., pumps or valves) of the handpiece assembly 360. The power supply can be a battery that is preferably disposed within the main body 30 of the handpiece assembly 360. In one arrangement, the battery is a rechargeable battery that can be connected to and recharged by an AC power supply, such as a typical residential electrical outlet. Alternatively, the handpiece assembly 360 can be directly powered by an AC power supply. The power supply can provide power to several components of the handpiece assembly 360. For example, the power supply can provide power to a plurality of fluid control devices 330 and/or a flow control unit. A control switch 371 can be used to turn the handpiece assembly 360 Off/On and/or control the output of the handpiece assembly 360.
- [0147] In operation, the cartridge 362 can be inserted into the main body 30. The handpiece assembly 360 can be applied to a patient's skin to deliver treatment material from the cartridge 362 to the patient's skin. After delivering a desired amount of treatment material, the cartridge 362 can be separated from the main body 30. The cartridge 362 can be a one-use or multi-use cartridge. For example, the cartridge can be a non-refillable disposable cartridge.
- [0148] The tip 34 can also be used to remove hair or perform other skin treatments. For example, the tip 34 can include one or more razor blades and may be

configured to apply a treatment material (e.g., antioxidents, vitamins, serums, growth agents, etc.) to the skin during the shaving process. In such embodiments, the main body 30 can be an elongated handle that is connected to a transversely extending elongate tip 34. In some embodiments, the handpiece assembly can be in the form of a disposable handheld razor. The treatment material can reduce or substantially eliminate problems associated with wet or dry shaving systems. These treatment materials may be applied prior to, during, before, and/or after shaving.

[0149] The articles disclosed herein may be formed through any suitable means. The various methods and techniques described above provide a number of ways to carry out the invention. Of course, it is to be understood that not necessarily all objectives or advantages described may be achieved in accordance with any particular embodiment described herein. Thus, for example, those skilled in the art will recognize that the methods may be performed in a manner that achieves or optimizes one advantage or group of advantages as taught herein without necessarily achieving other objectives or advantages as may be taught or suggested herein.

[0150] Furthermore, the skilled artisan will recognize the interchangeability of various features from different embodiments disclosed herein. Similarly, the various features and steps discussed above, as well as other known equivalents for each such feature or step, can be mixed and matched by one of ordinary skill in this art to perform methods in accordance with principles described herein. Additionally, the methods which are described and illustrated herein are not limited to the exact sequence of acts described, nor are they necessarily limited to the practice of all of the acts set forth. Other sequences of events or acts, or less than all of the events, or simultaneous occurrence of the events, may be utilized in practicing the embodiments of the invention.

[0151] Although the invention has been disclosed in the context of certain embodiments and examples, it will be understood by those skilled in the art that the invention extends beyond the specifically disclosed embodiments to other alternative embodiments and/or uses and obvious modifications and equivalents thereof. Accordingly, it is not intended that the invention be limited, except as by the appended claims.

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WHAT IS CLAIMED IS:

- 1. An apparatus for treating skin, the apparatus comprising:
- a console having a user input device and a handpiece assembly, which is configured to treat skin;
- a fluid line providing fluid communication between the console and the handpiece assembly; and
- a manifold system coupled to the console and controlled by the user input device, the manifold system being configured to hold releasably a plurality of fluid sources and deliver fluid from at least one of the plurality of fluid sources to the handpiece assembly.

CONSOLE SYSTEM FOR THE TREATMENT OF SKIN

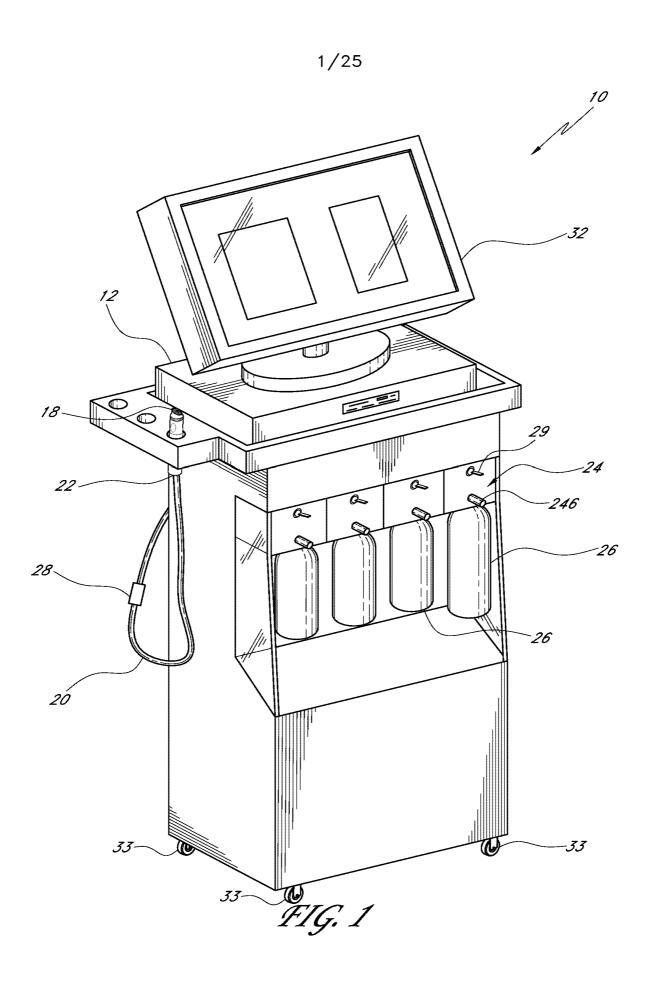
Abstract of the Disclosure

An apparatus for treating skin has a console with a user input device and a handpiece assembly. The handpiece assembly is configured to treat skin. A fluid line provides fluid communication between the console and the handpiece assembly. A manifold system is coupled to the console and controlled by the user input device. The manifold system is configured to hold releasably a plurality of fluid sources and deliver fluid from at least one of the plurality of fluid sources to the handpiece assembly.

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-33-



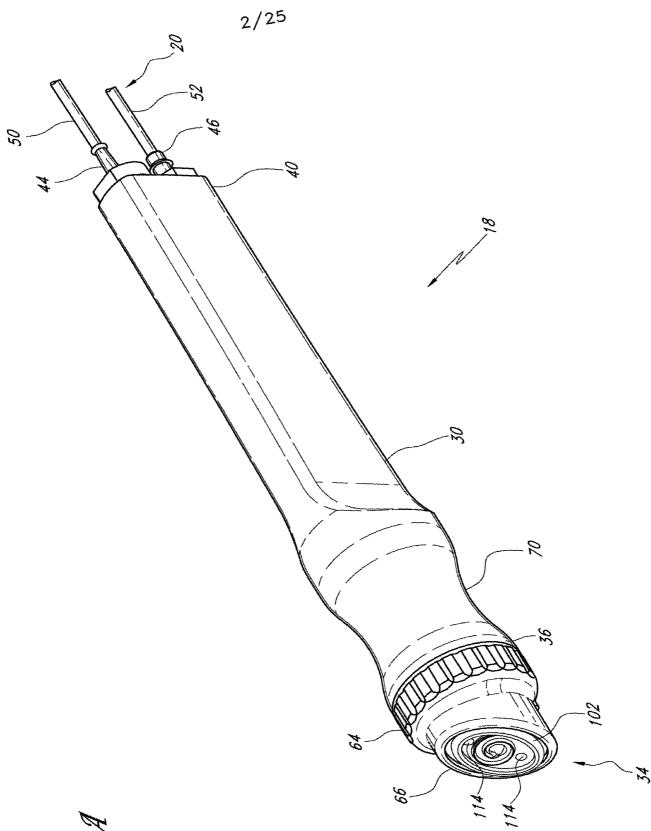
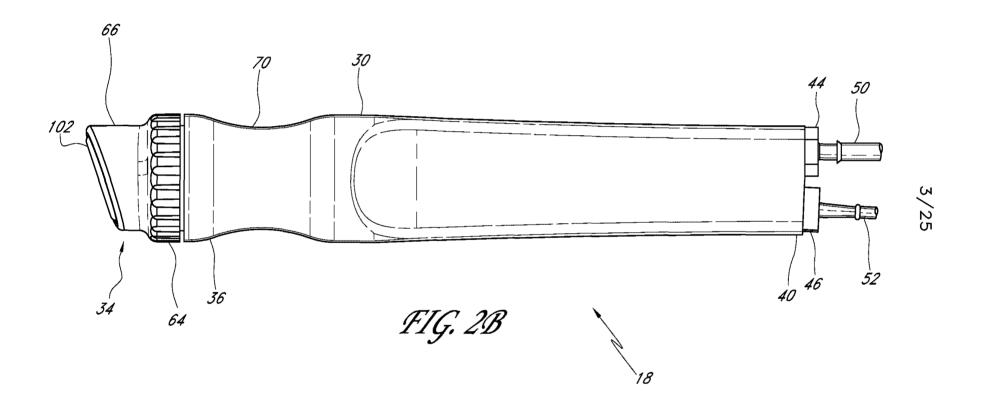
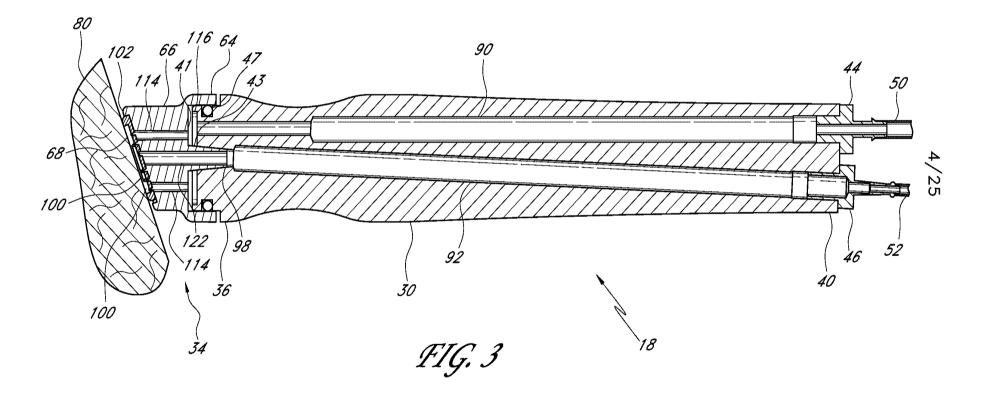
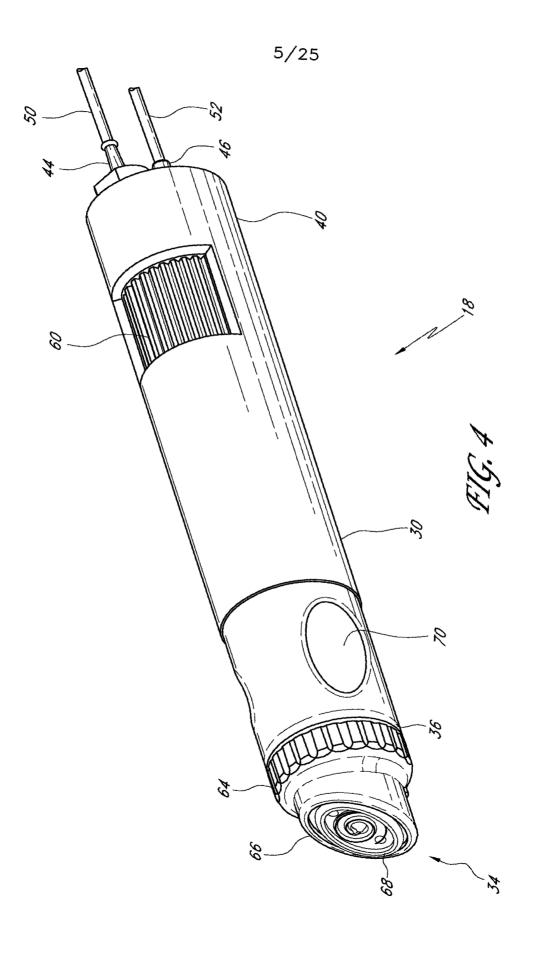
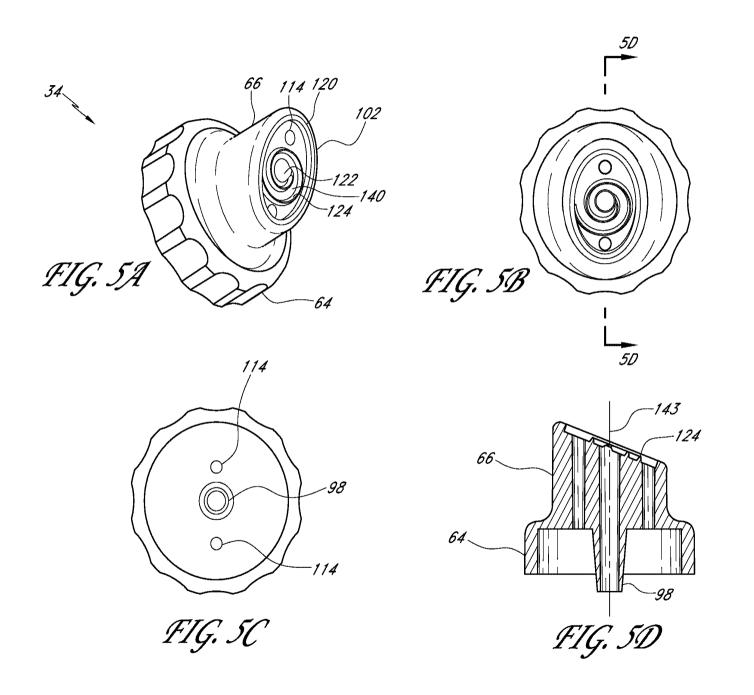


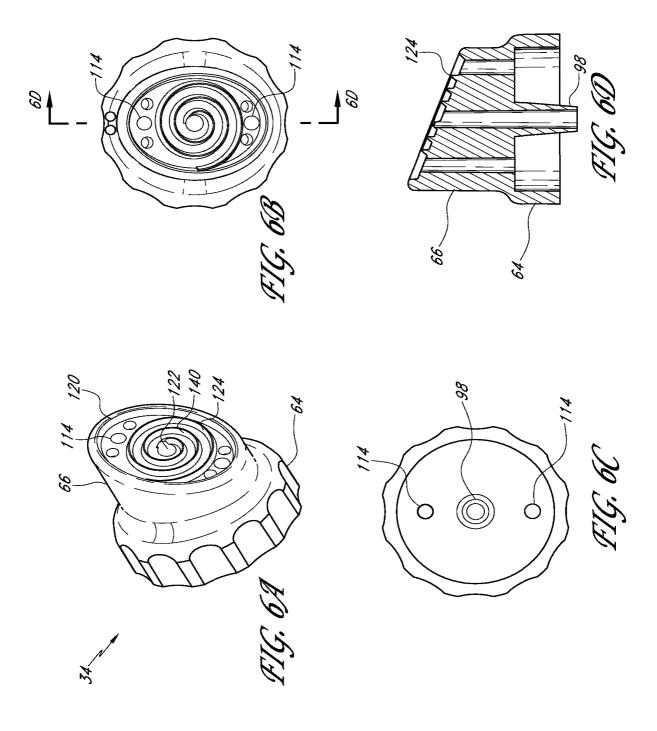
FIG. 2A

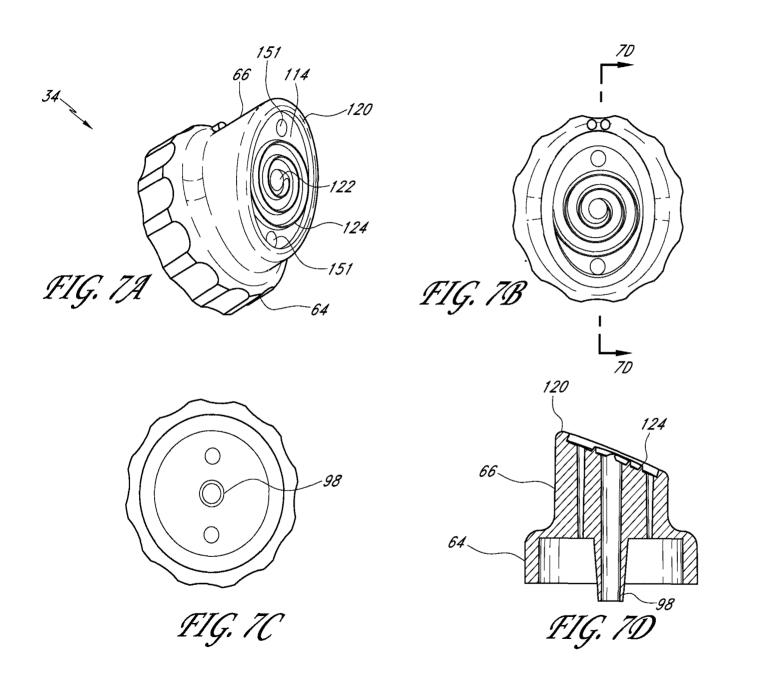


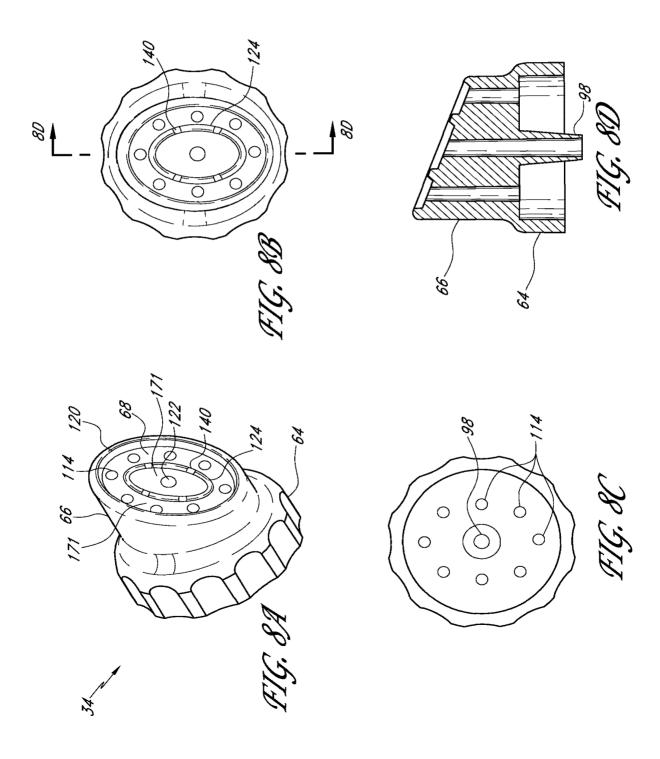


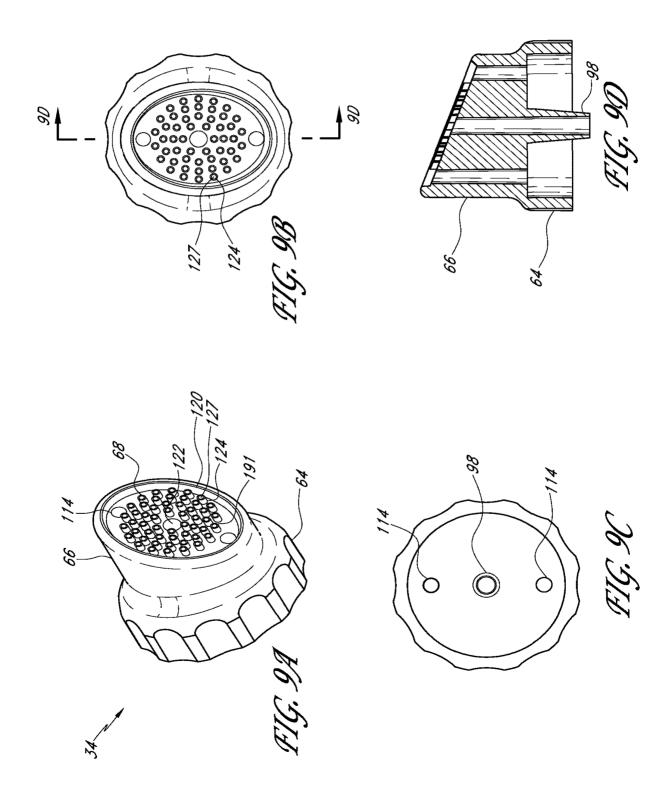


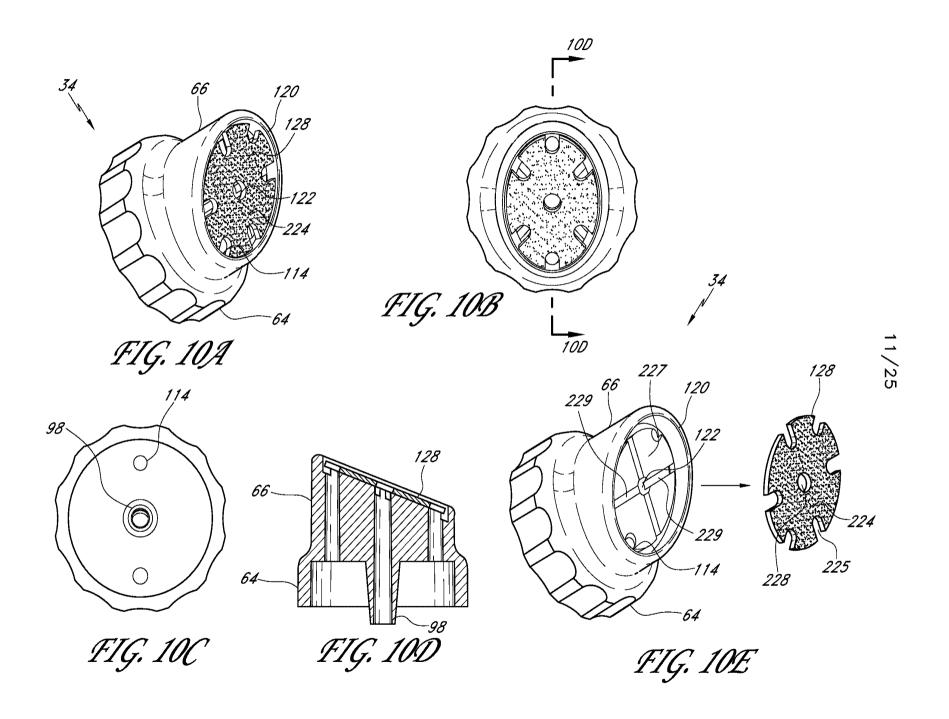


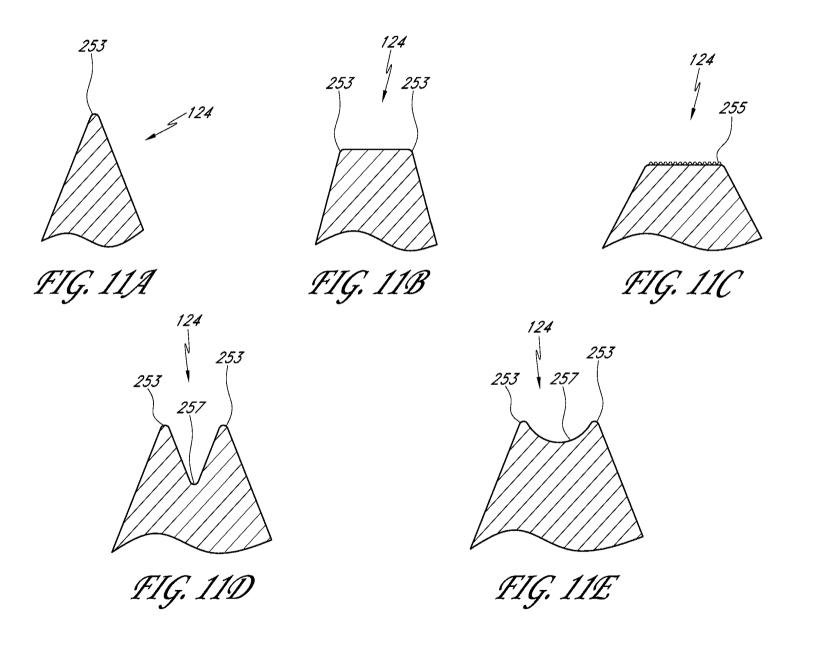


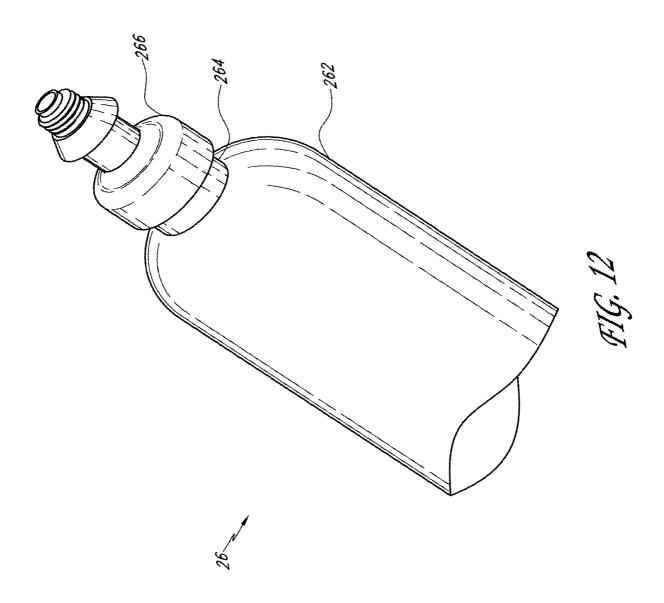












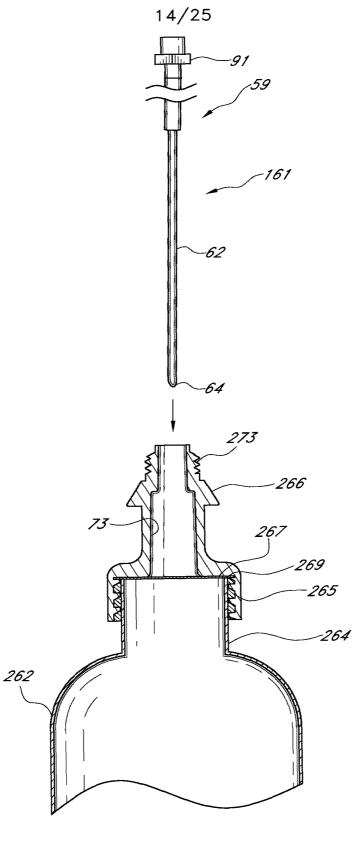
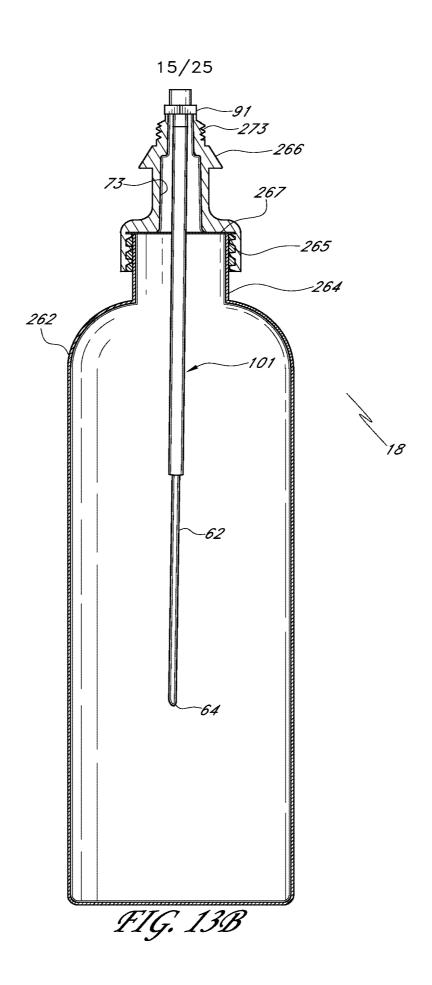


FIG. 13A





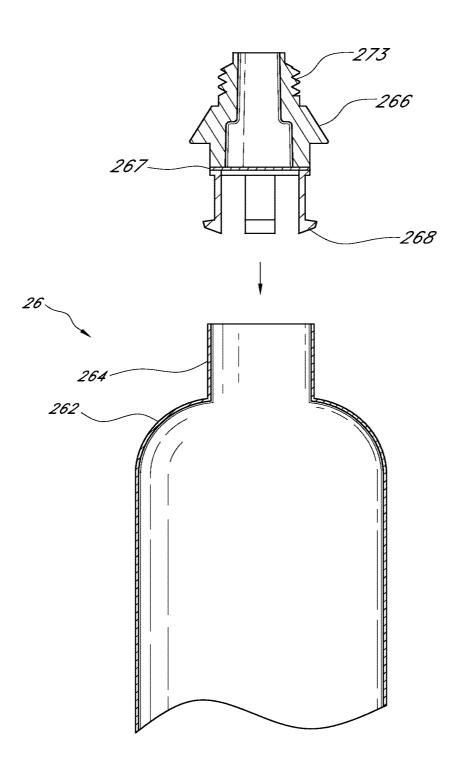


FIG. 14A

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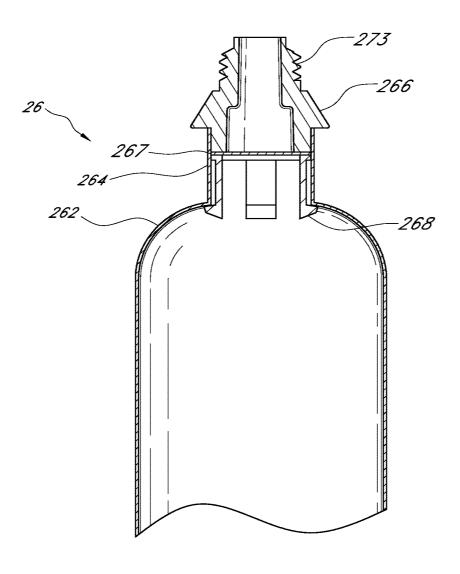
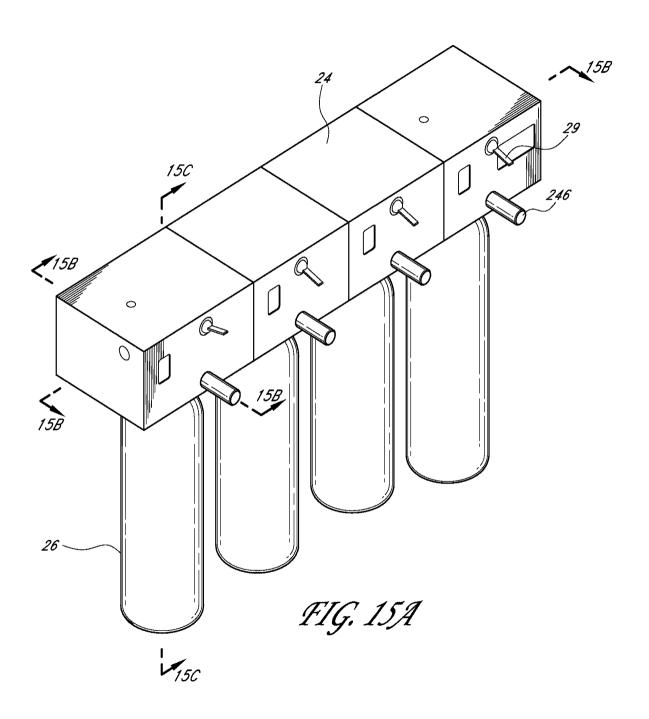
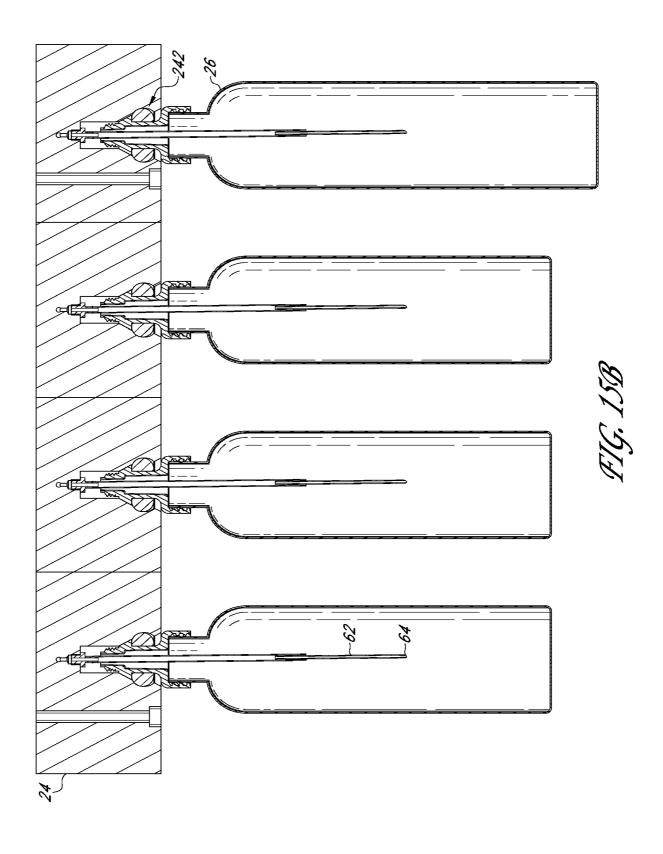


FIG. 14B





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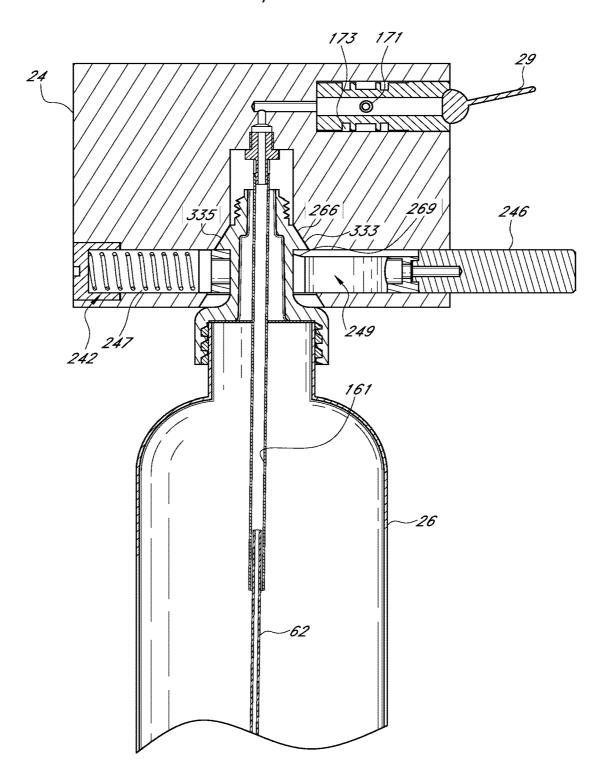


FIG. 15C

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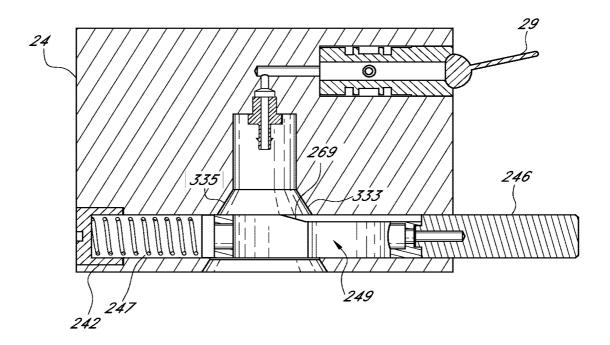
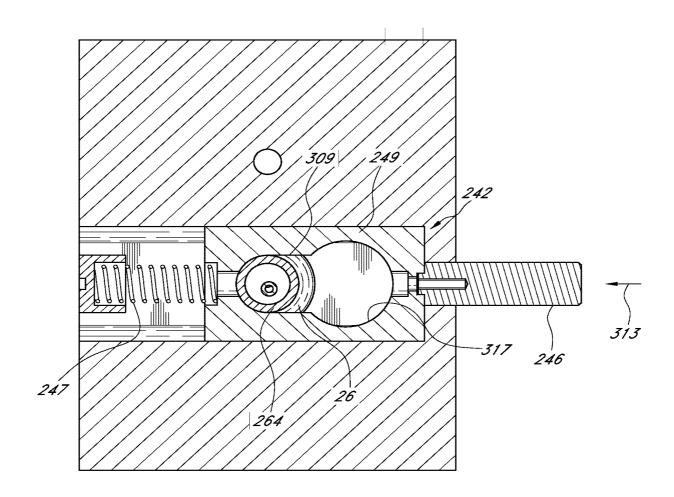
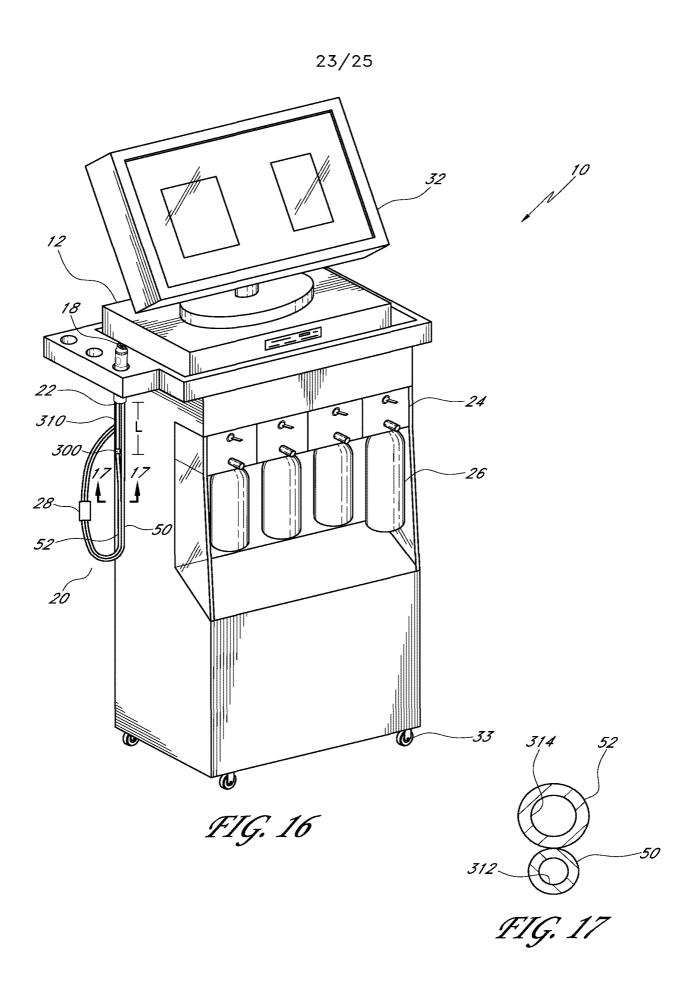
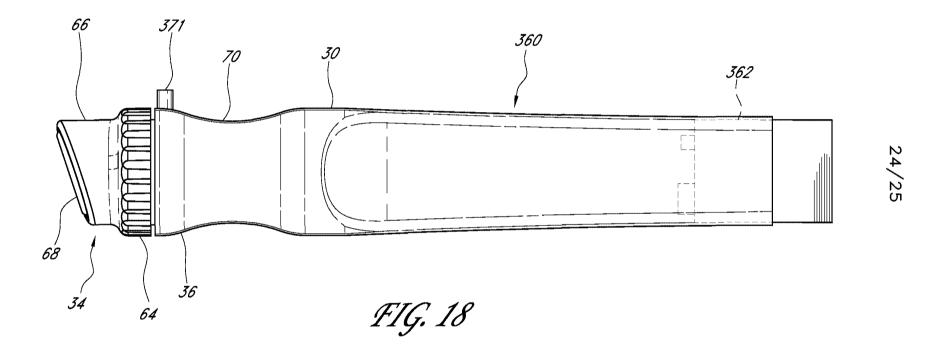


FIG. 15D

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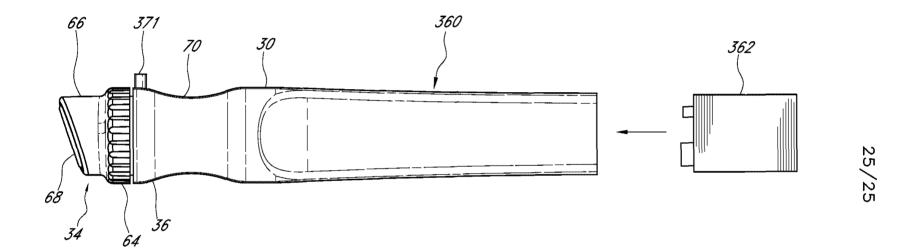


FIG. 19

Case 2:20-cv-06082-GRB-ST Docume Electronic Ac	ent 69-3 Filed 06/21/22 Page 109 of 363 PageID #: cknowledgement Receipt		
EFS ID:	22195890		
Application Number:	14698673		
International Application Number:			
Confirmation Number:	7926		
Title of Invention:	CONSOLE SYSTEM FOR THE TREATMENT OF SKIN		
First Named Inventor/Applicant Name:	Roger Ignon		
Customer Number:	20995		
Filer:	Theodore G. Papagiannis/Heide Young		
Filer Authorized By:	Theodore G. Papagiannis		
Attorney Docket Number:	EDGE.005C2		
Receipt Date:	28-APR-2015		
Filing Date:			
Time Stamp:	18:59:16		
Application Type:	Utility under 35 USC 111(a)		
Daymant information.	<u> </u>		

Payment information:

Submitted with Payment	no
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File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Application Data Sheet	EDGE-005C2 ADS.PDF	1561684	no	8
'	Application Data Sheet	EDGE 003C2_AD3.1 D1	c7036734c11ff3ea9fb5dba36cef145cb4657 208		J

Warnings:

Information:

20-cv-06082-GRB-ST Docur		22 Page 110 of 3	63 Page l	D #:	
	4603 EDGE-005C2 Specification.pdf	1685621	ves	33	
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Document De	scription	Start	Ei	nd	
Specificat	ion	1	3	31	
Claims 32			32		
Abstrac	t	33	33		
Drawings-only black and white line	FDGF-005C2 Drawings PDF	667275	no	25	
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	Multip Document Des Specificat Claims Abstrace	Multipart Description/PDF files in . Document Description Specification Claims Abstract Drawings-only black and white line drawings EDGE-005C2_Drawings.PDF	### A603 EDGE-005C2_Specification.pdf Multipart Description/PDF files in .zip description Document Description Start	### A603 EDGE-005C2_Specification.pdf ### A603 EDGE-005C2_Specification.pdf ### A603 BDGE-005C2_Specification.pdf ### A603 BDGE-005C2_Specification.pdf ### A603 BDGE-005C2_Specification.pdf ### A603 BDGE-005C2_Drawings.PDF #### A603 BDGE-005C2_Drawings.PDF #### A603 BDGE-005C2_Drawings.PDF ####################################	

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New Applications Under 35 U.S.C. 111

If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.

National Stage of an International Application under 35 U.S.C. 371

If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.

New International Application Filed with the USPTO as a Receiving Office

If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.

Doc code ase 7:030 (YE06082-GRB-ST Document 69-3 Filed 06/21/22 Page 111 of 363 PageID #:

Description : Petition to make special based on Age/Health 4604

pecial based on Age/Health

4604

Approved for use through 07/31/2012. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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Registration

Number

61546

PETI	TION TO N	AKE SPEC	CIAL BASED ON A UNDER 37 CFR			NT OF E	XAM	INATION
			Application	Inform	ation			
Application Number	14698673		Confirmation Number	7926		Filing Date		2015-04-28
Attorney Docket Number (optional)	EDGE.0056	C2	Art Unit	TBD		Examir	ner	Unknown
First Named Inventor	Roger Igno	n		·				
Title of Invention	CONSOLE	SYSTEM FO	OR THE TREATMEN	T OF SK	IN			
years of age, or more	pe made spe. No fee is BY PETITIC 02(c)(1) an requires on e named in registered inventor in	PNS TO MA d MPEP 70 e of the followentor in the attorney/ago	ith such a petition. KE SPECIAL FOR 8.02 (IV) ON THE E owing items: e application that he ent having evidenc tion is 65 years of a	ADVAN BASIS Constant in the second se	CFR 1.102(c)(1) CEMENT OF EXAMPLE OF THE APPLICATE 65 years of age, as a birth certific	and MPI XAMINAT ANT'S AG or more:	EP 70 FION GE. ; or	IN THIS APPLICATION
Given Name		Middle Na	me	Family	Name		Suffi	X
Roger				Ignon				
A signature of the ap Please see 37 CFR Select (1) or (2):	1.4(d) for th	ne format of			e with 37 CFR 1	.33 and 1	10.18.	
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Signature		/Theodore (G. Papagiannis/		Date (YYYY-MM-DI	D)	2015-	04-30

Theodore G. Papagiannis

Name

Doc code 25E 7230 20E06082-GRB-ST Document 69-3 Filed 06/21/22 Page 112 of 363 PageID #:

Description: Petition to make special based on Age/Health 4605

PTO/SB/130 (07-09)
Approved for use through D7/31/2012. OMB D651- D031
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The Privacy Act of 1974 (P.L. 93-579) requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

The information provided by you in this form will be subject to the following routine uses:

- 1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C. 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether the Fr eedom of Information Act requires disclosure of these records.
- A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
- 3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
- 4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
- A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
- 6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
- 7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (i.e., GSA or Commerce) directive. Such disclosure shall not be used to make determinations about indivi duals.
- 8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspections or an issued patent.
- 9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.

2:20-cv-06082-GRB-ST Document 69-3 Filed 06/21/22 Page 113 of 363 PageID #: 4606

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents United States Patent and Trademark Office P.O. Box 1450 Alexandria, VA 22313-1450 www.uspto.gov

In re Application of Roger Ignon

Application No. 14698673

Filed:

Attorney Docket No. EDGE.005C2

This is a decision on the electronic petition under 37 CFR 1.102 (c)(1), filed 30-APR-2015 application special based on applicant's age as set forth in MPEP § 708.02, Section IV.

to make the above-identified

:DECISION ON PETITION TO MAKE SPECIAL

:UNDER 37 CFR 1.102(c)(1)

The petition is **GRANTED**.

A grantable petition to make an application special under 37 CFR 1.102(c)(1), MPEP § 708.02, Section IV: Applicant's Age must include a statement by applicant or a registered practitioner having evidence that applicant is at least 65 years of age. No fee is required.

Accordingly, the above-identified application has been accorded "special" status and will be taken up for action by the examiner upon the completion of all pre-examination processing.

Telephone inquiries concerning this electronic decision should be directed to the Electronic Business Center at 866-217-9197.

All other inquiries concerning either the examination or status of the application should be directed to the Technology Center.

Case 2:20-cv-06082-GRB-ST Docume Electronic Ac	ent 69-3 Filed 06/21/22 Page 114 of 363 PageID #: cknowledgement Receipt		
EFS ID:	22215429		
Application Number:	14698673		
International Application Number:			
Confirmation Number:	7926		
Title of Invention:	CONSOLE SYSTEM FOR THE TREATMENT OF SKIN		
First Named Inventor/Applicant Name:	Roger Ignon		
Customer Number:	20995		
Filer:	Theodore G. Papagiannis/janet teeters		
Filer Authorized By:	Theodore G. Papagiannis		
Attorney Docket Number:	EDGE.005C2		
Receipt Date:	30-APR-2015		
Filing Date:			
Time Stamp:	12:26:09		
Application Type:	Utility under 35 USC 111(a)		
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Payment information:

File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
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,	1 Petition automatically granted by EFS		58714e9958be9c6220224475590cad47ccb 1d9ac		_

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Information:

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New Applications Under 35 U.S.C. 111

If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.

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New International Application Filed with the USPTO as a Receiving Office

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EDGE.005C2 PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Ignon et al.

App. No. : 14/698,673

Filed : April 28, 2015

For : CONSOLE SYSTEM FOR THE

TREATMENT OF SKIN

Examiner : Unknown

Art Unit : Unknown

Conf No. : 7926

PRELIMINARY AMENDMENT

Mail Stop Amendment

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Dear Sir:

Prior to examination on the merits, please amend the above-referenced application as provided below.

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks begin on page 5 of this paper.

Application No.: 14/698,673 Filing Date: April 28, 2015

AMENDMENTS TO THE CLAIMS

The following listing of claims replaces all prior versions and listings of claims in the application. The listing of claims presents each claim with its respective status shown in parentheses.

- 1. (Canceled)
- 2. (New) A system for performing a skin treatment procedure, the system comprising:

a console including a manifold, the manifold being in fluid communication with at least one fluid container, the at least one fluid container being configured to contain a treatment material for a skin treatment procedure;

a handpiece assembly comprising a tip, the tip being configured to contact a skin surface of a subject;

a supply conduit placing the manifold of the console in fluid communication with the handpiece assembly, wherein a distal end of the supply conduit is configured to couple to the handpiece assembly;

wherein the manifold is configured to control a flow of treatment material from the at least one fluid container through the supply conduit; and

a waste conduit in fluid communication with the tip of the handpiece assembly to remove waste away from a skin surface of a subject during a skin treatment procedure, wherein the waste conduit is operatively coupled to a vacuum source.

- 3. (*New*) The system of Claim 2, further comprising a user input device, wherein the user input device is configured to receive instructions regarding the treatment material to be passed through the supply conduit to the handpiece assembly.
- 4. (*New*) The system of Claim 2, wherein the console comprises a display, wherein the display comprises a user input device to facilitate controlling a flow of treatment materials from the at least one fluid container to the handpiece assembly.
- 5. (New) The system of Claim 4, wherein the user input device comprises a touch screen.
- 6. (*New*) The system of Claim 2, wherein the at least one fluid container is releasably coupled to the manifold.

Application No.: 14/698,673 Filing Date: April 28, 2015

- 7. (*New*) The system of Claim 2, wherein the at least one fluid container comprises at least two fluid containers.
- 8. (*New*) The system of Claim 2, wherein the at least one fluid container comprises at least four fluid containers.
- 9. (*New*) The system of Claim 7, wherein treatment materials from the at least two fluid containers are delivered to the supply conduit sequentially or simultaneously.
 - 10. (New) The system of Claim 2, wherein the console is movable.
- 11. (New) The system of Claim 2, wherein the tip of the handpiece assembly is configured to exfoliate skin tissue as the handpiece is moved relative to a skin surface of a subject.
- 12. (*New*) The system of Claim 2, wherein each of the supply conduit and the waste conduit connects to a corresponding connector along a proximal end of the handpiece assembly.
- 13. (*New*) The system of Claim 2, wherein the manifold of the console is configured to be placed in fluid communication with a container comprising an antimicrobial fluid or other disinfecting agent for periodic flushing of the manifold.
- 14. (New) A system for performing a skin treatment procedure, the system comprising:
 - a manifold in fluid communication with at least one fluid container, the at least one fluid container being configured to contain a treatment material;
 - a handpiece assembly comprising a tip, the tip being configured to contact a skin surface of a subject; and
 - a supply conduit placing the manifold in fluid communication with the handpiece assembly, wherein a distal end of the supply conduit is configured to secure to the handpiece assembly;

wherein the manifold is configured to control a flow of treatment material from the at least one fluid container through the supply conduit.

- 15. (*New*) The system of Claim 14, further comprising a waste conduit in fluid communication with the handpiece assembly to remove waste from a skin surface of a subject during a procedure, wherein the waste conduit is operatively coupled to a vacuum source.
- 16. (*New*) The system of Claim 14, further comprising a user input device for selecting a treatment material to be passed through the supply conduit to the handpiece assembly.

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17. (*New*) The system of Claim 14, wherein console comprises a display, wherein the display comprises a user input device to facilitate controlling a flow of treatment materials from the at least one fluid container.

- 18. (New) The system of Claim 17, wherein the user input device comprises a touch screen.
- 19. (*New*) The system of Claim 14, wherein the at least one fluid container is releasably coupled to the manifold.
- 20. (New) The system of Claim 14, wherein the tip of the handpiece assembly is configured to exfoliate skin tissue as the handpiece is moved relative to a skin surface of a subject.
- 21. (*New*) The system of Claim 14, wherein the manifold is configured to be placed in fluid communication with a container comprising an antimicrobial fluid or other disinfecting agent for periodic flushing of the manifold.

Application No.: 14/698,673 Filing Date: April 28, 2015

REMARKS

Applicant submits this Preliminary Amendment prior to examination. Claim 1 was pending in this application. Applicant is canceling without prejudice Claim 1 and adding new Claims 2 to 21 herein. No new matter is added by the foregoing amendments. Applicant reserves the right to pursue claims similar to the original claims and/or previously-pending versions of the claims in a continuing application.

New Claims

As noted above and reflected in the listing of claims, new Claims 2 to 21 are added herein. Applicant submits that no new matter is added by the introduction of these claims.

Table of U.S. Patents and Applications

Applicant provides the following table to aid the Examiner during prosecution. The following U.S. patents and/or patent applications are in the same patent family as the subject application.

Attorney Docket	App. No.		
No.	(Pat. No., if appl.)	Filing Date	Title
EDGE.005A	11/392,348	Mar. 29, 2006	APPARATUS AND METHODS FOR
	(U.S. Pat. 8,048,089)		TREATING THE SKIN
EDGE.005C1	13/267,554	Oct. 6, 2011	REMOVABLE TIPS FOR SKIN
			TREATMENT SYSTEMS
EDGE.005C2	14/698,673 (present application)	Apr. 28, 2015	CONSOLE SYSTEM FOR THE TREATMENT OF SKIN
			METHODS AND SYSTEMS FOR
EDGE.005C3	14/698,713	Apr. 28, 2015	EXTRACTION OF MATERIALS FROM
			SKIN
EDGE.005C4	14/700,789	Apr. 30, 2015	TIP WITH EMBEDDED MATERIALS FOR
EDGE.003C4	14//00,/89	Apr. 50, 2015	SKIN TREATMENT

Copies of these patents and patent applications, including any pending claims, office actions, allowances and/or other communications, are available through PALM and/or PAIR. However, if the Examiner so requests, Applicant will be happy to provide the Examiner with copies of any applications, pending claims, office actions, allowances, communications or any other documents, at any time.

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Application No.:

14/698,673

Filing Date:

April 28, 2015

No Disclaimers or Disavowals

Although the present communication may include alterations to the application or claims,

or characterizations of claim scope or referenced art, Applicant is not conceding in this

application that previously pending claims are not patentable over the cited references. Rather,

any alterations or characterizations are being made to facilitate expeditious prosecution of this

application. Applicant reserves the right to pursue at a later date any previously pending or other

broader or narrower claims that capture any subject matter supported by the present disclosure,

including subject matter found to be specifically disclaimed herein or by any prior prosecution.

Accordingly, reviewers of this or any parent, child or related prosecution history shall not

reasonably infer that Applicant has made any disclaimers or disavowals of any subject matter

supported by the present application.

CONCLUSION

Please charge any additional fees, including any fees for additional extension of time, or

credit overpayment to Deposit Account No. 11-1410.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: May 1, 2015

By: /Theodore G. Papagiannis/ Theodore G. Papagiannis Registration No. 61,546 Attorney of Record Customer No. 20995 (949) 760-0404

20577793

-6-

	ent 69-3 Filed 06/21/22 Page 122 of 363 PageID #: cknowledgement Receipt	
EFS ID:	22233872	
Application Number:	14698673	
International Application Number:		
Confirmation Number:	7926	
Title of Invention:	CONSOLE SYSTEM FOR THE TREATMENT OF SKIN	
First Named Inventor/Applicant Name:	Roger Ignon	
Customer Number:	20995	
Filer:	Theodore G. Papagiannis/Tony Do	
Filer Authorized By:	Theodore G. Papagiannis	
Attorney Docket Number:	EDGE.005C2	
Receipt Date:	01-MAY-2015	
Filing Date:		
Time Stamp:	17:26:26	
Application Type:	Utility under 35 USC 111(a)	

Payment information:

Submitted with Payment	no
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File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1		EDGE-005C2_Prelim_Amend.	251862	ves	6
'		pdf -	c76b7fe656bea512fb674051aca6b8e2978f 778a	, l	Ŭ

Case 2	2:20-cv-06082-GRB-ST Document 69-3 Filed 06/21/22 Page 123 of 363 PageID #: Multipart Desgription/PDF files in .zip description						
	Document Description	Start	End				
	Preliminary Amendment	1	1				
	Claims	2	4				
	Applicant Arguments/Remarks Made in an Amendment	5	6				
Warnings:		•					
Information:							

This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503.

Total Files Size (in bytes):

251862

New Applications Under 35 U.S.C. 111

If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.

National Stage of an International Application under 35 U.S.C. 371

If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.

New International Application Filed with the USPTO as a Receiving Office

If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.

4617

PTO/SB/06 (09-11)
Approved for use through 1/31/2014. OMB 0651-0032
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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

PATENT APPLICATION FEE DETERMINATION RECORD Substitute for Form PTO-875				n or Docket Nu /698,673	umber	Filing Date 04/28/2015	To be Mailed			
							ENTITY:		ARGE 🏻 SMA	LL MICRO
				APPLICA	ATION AS FIL	ED – PAR	ΤI			
			(Column	1)	(Column 2)					
	FOR	N	IUMBER FIL	_ED	NUMBER EXTRA		RAT	E (\$)	F	EE (\$)
	BASIC FEE (37 CFR 1.16(a), (b), o	or (c))	N/A		N/A		N/	/A		
	SEARCH FEE (37 CFR 1.16(k), (i), c	or (m))	N/A		N/A		N	/A		
	EXAMINATION FE (37 CFR 1.16(o), (p), o		N/A		N/A		N	/A		
	TAL CLAIMS CFR 1.16(i))		mir	nus 20 = *			X \$	=		
	EPENDENT CLAIM CFR 1.16(h))	S	m	inus 3 = *			X \$	=		
	APPLICATION SIZE (37 CFR 1.16(s))	FEE of page for s	aper, the a	ation and drawing application size fo y) for each additi of. See 35 U.S.C	ee due is \$310 (onal 50 sheets o	\$155 r				
	MULTIPLE DEPEN	IDENT CLAIM PE	RESENT (3	7 CFR 1.16(j))						
* If	the difference in colu	ımn 1 is less thar	zero, ente	r "0" in column 2.			TO	ΓAL		
		(Column 1)		APPLICATI	ON AS AMEN		ART II			
LN:	05/01/2015	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EX	TRA	RAT	E (\$)	ADDITIO	DNAL FEE (\$)
AMENDMENT	Total (37 CFR 1.16(i))	* 20	Minus	** 20	= 0		x \$40 =	i		0
⊒N∃	Independent (37 CFR 1.16(h))	* 2	Minus	***3	= 0		x \$210	=		0
AMI	Application Si	ze Fee (37 CFR	1.16(s))							
	FIRST PRESEN	ITATION OF MULT	PLE DEPEN	DENT CLAIM (37 CFF	R 1.16(j))					
							TOTAL AI	DD'L FEI	≣	0
		(Column 1)		(Column 2)	(Column 3)				
L		CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EX	TR A	RATI	E (\$)	ADDITIO	DNAL FEE (\$)
ENT	Total (37 CFR 1.16(i))	*	Minus	**	=		X \$	=		
ENDM	Independent (37 CFR 1.16(h))	*	Minus	***	=		X \$	=		
VEN	Application Si	ze Fee (37 CFR	1.16(s))							
MA	FIRST PRESEN	ITATION OF MULT	PLE DEPEN	DENT CLAIM (37 CFF	R 1.16(j))					
** If	the entry in column of the "Highest Number If the "Highest Numb	er Previously Paid	l For" IN Th	HIS SPACE is less	than 20, enter "20"		TOTAL AI LDRC /PRASA		IDHYALA/	

This collection of information is required by 37 CFR 1.16. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS

Case 2:20-cv-06082-GRB-ST Document 69-3 Filed 06/21/22 Page 125 of 363 PageID #: 4618



United States Patent and Trademark Office

UNITED STATES DEPARTMENT OF COMMERCE United States Patent and Trademark Office Address: COMMISSIONER FOR PATENTS P.O. Box 1450 Alexandria, Virginia 22313-1450 www.uspto.gov

FILING or GRP ART APPLICATION FIL FEE REC'D ATTY.DOCKET.NO NUMBER 371(c) DATE UNIT TOT CLAIMS IND CLAIMS 14/698,673 20 04/28/2015 0.00EDGE.005C2 2

CONFIRMATION NO. 7926

FILING RECEIPT

20995 KNOBBE MARTENS OLSON & BEAR LLP 2040 MAIN STREET FOURTEENTH FLOOR IRVINE, CA 92614

Date Mailed: 05/11/2015

Receipt is acknowledged of this non-provisional patent application. The application will be taken up for examination in due course. Applicant will be notified as to the results of the examination. Any correspondence concerning the application must include the following identification information: the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please submit a written request for a Filing Receipt Correction. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections

Inventor(s)

Roger Ignon, Redondo Beach, CA; Scott Mallett, Coto De Caza, CA; Abraham Solano, Corona, CA; William Cohen, Los Alamitos, CA;

Applicant(s)

EDGE SYSTEMS LLC, Signal Hill, CA

Power of Attorney: None

Domestic Priority data as claimed by applicant

This application is a CON of 13/267,554 10/06/2011 which is a CON of 11/392,348 03/29/2006 PAT 8048089 which claims benefit of 60/755,310 12/30/2005 and claims benefit of 60/764,668 02/02/2006

Foreign Applications for which priority is claimed (You may be eligible to benefit from the **Patent Prosecution Highway** program at the USPTO. Please see http://www.uspto.gov for more information.) - None. Foreign application information must be provided in an Application Data Sheet in order to constitute a claim to foreign priority. See 37 CFR 1.55 and 1.76.

If Required, Foreign Filing License Granted: 05/07/2015

The country code and number of your priority application, to be used for filing abroad under the Paris Convention,

is **US 14/698.673**

Projected Publication Date: To Be Determined - pending completion of Missing Parts

Non-Publication Request: No

Early Publication Request: No
** SMALL ENTITY **
Title

CONSOLE SYSTEM FOR THE TREATMENT OF SKIN

Preliminary Class

Statement under 37 CFR 1.55 or 1.78 for AIA (First Inventor to File) Transition Applications: No

PROTECTING YOUR INVENTION OUTSIDE THE UNITED STATES

Since the rights granted by a U.S. patent extend only throughout the territory of the United States and have no effect in a foreign country, an inventor who wishes patent protection in another country must apply for a patent in a specific country or in regional patent offices. Applicants may wish to consider the filing of an international application under the Patent Cooperation Treaty (PCT). An international (PCT) application generally has the same effect as a regular national patent application in each PCT-member country. The PCT process **simplifies** the filing of patent applications on the same invention in member countries, but **does not result** in a grant of "an international patent" and does not eliminate the need of applicants to file additional documents and fees in countries where patent protection is desired.

Almost every country has its own patent law, and a person desiring a patent in a particular country must make an application for patent in that country in accordance with its particular laws. Since the laws of many countries differ in various respects from the patent law of the United States, applicants are advised to seek guidance from specific foreign countries to ensure that patent rights are not lost prematurely.

Applicants also are advised that in the case of inventions made in the United States, the Director of the USPTO must issue a license before applicants can apply for a patent in a foreign country. The filing of a U.S. patent application serves as a request for a foreign filing license. The application's filing receipt contains further information and guidance as to the status of applicant's license for foreign filing.

Applicants may wish to consult the USPTO booklet, "General Information Concerning Patents" (specifically, the section entitled "Treaties and Foreign Patents") for more information on timeframes and deadlines for filing foreign patent applications. The guide is available either by contacting the USPTO Contact Center at 800-786-9199, or it can be viewed on the USPTO website at http://www.uspto.gov/web/offices/pac/doc/general/index.html.

For information on preventing theft of your intellectual property (patents, trademarks and copyrights), you may wish to consult the U.S. Government website, http://www.stopfakes.gov. Part of a Department of Commerce initiative, this website includes self-help "toolkits" giving innovators guidance on how to protect intellectual property in specific countries such as China, Korea and Mexico. For questions regarding patent enforcement issues, applicants may call the U.S. Government hotline at 1-866-999-HALT (1-866-999-4258).

LICENSE FOR FOREIGN FILING UNDER

Title 35, United States Code, Section 184

Title 37, Code of Federal Regulations, 5.11 & 5.15

GRANTED

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Bureau of Industry and Security, Department of Commerce (15 CFR parts 730-774); the Office of Foreign AssetsControl, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

NOT GRANTED

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).

SelectUSA

The United States represents the largest, most dynamic marketplace in the world and is an unparalleled location for business investment, innovation, and commercialization of new technologies. The U.S. offers tremendous resources and advantages for those who invest and manufacture goods here. Through SelectUSA, our nation works to promote and facilitate business investment. SelectUSA provides information assistance to the international investor community; serves as an ombudsman for existing and potential investors; advocates on behalf of U.S. cities, states, and regions competing for global investment; and counsels U.S. economic development organizations on investment attraction best practices. To learn more about why the United States is the best country in the world to develop technology, manufacture products, deliver services, and grow your business, visit http://www.SelectUSA.gov or call +1-202-482-6800.

PATENT APPLICATION FEE DETERMINATION RECORD Substitute for Form PTO-875							tion or Docket Nun 8,673	nber			
APPLICATION AS FILED - PART I (Column 1) (Column 2) SMALL ENTITY						OR		R THAN ENTITY			
	FOR	NUMBE	R FILE	D NUMBE	R EXTRA		RATE(\$)	FEE(\$)		RATE(\$)	FEE(\$)
	IC FEE FR 1.16(a), (b), or (c))	N	/A		J/A	Ì	N/A	70	1	N/A	
SEA	RCH FEE FR 1.16(k), (i), or (m))	N	/A		I/A	Ì	N/A	300	1	N/A	
EXA	MINATION FEE FR 1.16(o), (p), or (q))	N	/A		I/A	ı	N/A	360	1	N/A	
TOT	AL CLAIMS FR 1.16(i))	20	minus	20= *		1	x 40 =	0.00	OR		
IND	EPENDENT CLAIF	MS 2	minus	3 = *		l	x 210 =	0.00	1		
API FEE	(37 CFR 1.16(h)) APPLICATION SIZE FEE (37 CFR 1.16(s)) If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$310 (\$155 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).										
MUL	TIPLE DEPENDE	NT CLAIM PRE	SENT (3	7 CFR 1.16(j))		1		0.00	1		
* If t	he difference in co	olumn 1 is less th	an zero,	enter "0" in colur	nn 2.		TOTAL	730	1	TOTAL	
		(Column 1) CLAIMS REMAINING		(Column 2) HIGHEST NUMBER	(Column 3)		SMALL RATE(\$)	ENTITY ADDITIONAL	OR]		R THAN ENTITY ADDITIONAL
	T	AFTER AMENDMENT		PREVIOUSLY PAID FOR	EXTRA			FEE(\$)			FEE(\$)
AMENDMENT	Total (37 CFR 1.16(i))	*	Minus	***	=		X =		OR	x =	
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₹	Application Size Fe	ee (37 CFR 1.16(s))				ļ			1		
	FIRST PRESENTA	TION OF MULTIPL	E DEPEN	IDENT CLAIM (37 C	CFR 1.16(j))				OR		
							TOTAL ADD'L FEE		OR	TOTAL ADD'L FEE	
		(Column 1)		(Column 2)	(Column 3)						
NT B		CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA		RATE(\$)	ADDITIONAL FEE(\$)		RATE(\$)	ADDITIONAL FEE(\$)
ME	Total (37 CFR 1.16(i))	*	Minus	**	=		X =		OR	x =	
AMENDMENT	Independent (37 CFR 1.16(h))	*	Minus	***	=		x =		OR	x =	
¥	Application Size Fe	ee (37 CFR 1.16(s))]		
	FIRST PRESENTA	TION OF MULTIPL	E DEPEN	IDENT CLAIM (37 C	CFR 1.16(j))				OR		
						•	TOTAL ADD'L FEE		OR	TOTAL ADD'L FEE	
*	 If the entry in co If the "Highest No If the "Highest No 	lumber Previous	ly Paid F	or" IN THIS SPA	CE is less than	20	, enter "20".				

The "Highest Number Previously Paid For" (Total or Independent) is the highest found in the appropriate box in column 1.



United States Patent and Trademark Office

UNITED STATES DEPARTMENT OF COMMERCE United States Patent and Trademark Office Address: COMMISSIONER FOR PATENTS PC. Box 1450 Alexandria, Virginia 22313-1450 www.uspto.gov

APPLICATION NUMBER FILING OR 371(C) DATE FIRST NAMED APPLICANT ATTY. DOCKET NO./TITLE

14/698,673 04/28/2015 Roger Ignon EDGE.005C2

CONFIRMATION NO. 7926 FORMALITIES LETTER

20995 KNOBBE MARTENS OLSON & BEAR LLP 2040 MAIN STREET FOURTEENTH FLOOR IRVINE, CA 92614



Date Mailed: 05/11/2015

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
- The application search fee must be submitted.
- The application examination fee must be submitted.
- Surcharge as set forth in 37 CFR 1.16(f) must be submitted.

The surcharge is due for any one of:

- late submission of the basic filing fee, search fee, or examination fee,
- · late submission of inventor's oath or declaration,
- · filing an application that does not contain at least one claim on filing, or
- submission of an application filed by reference to a previously filed application.

SUMMARY OF FEES DUE:

The fee(s) required within **TWO MONTHS** from the date of this Notice to avoid abandonment is/are itemized below. Small entity discount is in effect. If applicant is qualified for micro entity status, an acceptable Certification of Micro Entity Status must be submitted to establish micro entity status. (See 37 CFR 1.29 and forms PTO/SB/15A and 15B.)

- •\$ 70 basic filing fee.
- \$ 70 surcharge.
- \$ 300 search fee.
- \$ 360 examination fee.
- \$(0) previous unapplied payment amount.
- •\$ 800 TOTAL FEE BALANCE DUE.

Items Required To Avoid Processing Delays:

Applicant is notified that the above-identified application contains the deficiencies noted below. No period for reply is set forth in this notice for correction of these deficiencies. However, if a deficiency relates to the inventor's

oath or declaration, the applicant must file an oath or declaration in compliance with 37 CFR 1.63, or a substitute statement in compliance with 37 CFR 1.64, executed by or with respect to each actual inventor no later than the expiration of the time period set in the "Notice of Allowability" to avoid abandonment. See 37 CFR 1.53(f).

• A properly executed inventor's oath or declaration has not been received for the following inventor(s):

Roger Ignon Scott Mallett Abraham Solano William Cohen

Replies must be received in the USPTO within the set time period or must include a proper Certificate of Mailing or Transmission under 37 CFR 1.8 with a mailing or transmission date within the set time period. For more information and a suggested format, see Form PTO/SB/92 and MPEP 512.

Replies should be mailed to:

Mail Stop Missing Parts Commissioner for Patents P.O. Box 1450 Alexandria VA 22313-1450

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web, including a copy of this Notice and selecting the document description "Applicant response to Pre-Exam Formalities Notice". https://sportal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html

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/tpetros/			
Office of Data Management	Application Assistance Unit (571) 272-400	00 or (571) 272-4200	or 1-888-786-0101

Case 2:20-cv-06082-GRB-ST Document 69-3 Filed 06/21/22 Page 131 of 363 PageID #:

Docket No.: EDGE.005C2 June 22, 2015 Page 1 of 1

Please Direct All Correspondence to Customer Number 20995

RESPONSE TO FORMALITIES NOTICE

Inventor : Ignon et al.

App. No. : 14/698,673

Filed : April 28, 2015

For : CONSOLE SYSTEM FOR THE

TREATMENT OF SKIN

Art Unit : Unknown

Conf No. : 7926

Mail Stop Missing Parts

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Dear Sir:

In response to the Formalities Notice that was mailed on May 11, 2015 for the above-captioned application, enclosed, in compliance with 37 CFR §1.53(f), are the following:

The present application qualifies for small entity status under 37 CFR §1.27.

- (X) Fees will be paid via EFS Web. Any extension of time will be requested by payment of the appropriate extension fee.
- (X) An Information Disclosure Statement and PTO/SB/08 equivalent listing references for consideration:
 - (X) Listing 334 references.

The Commissioner is hereby authorized to charge any additional fees which may be required, now or in the future, or credit any overpayment, to Account No. 11-1410.

Date: June 22, 2015 By: /Theodore G. Papagiannis/

Theodore G. Papagiannis Registration No. 61,546 Attorney of Record Customer No. 20995 (949) 760-0404

20932049

Docket No.: EDGE.005C2 Customer No. 20995

INFORMATION DISCLOSURE STATEMENT

Inventor : Ignon et al.

App. No. : 14/698,673

Filed : April 28, 2015

For : CONSOLE SYSTEM FOR THE

TREATMENT OF SKIN

Examiner : Unknown

Art Unit : Unknown

Conf. No. : 7926

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

References and Listing

Pursuant to 37 CFR §1.56, an Information Disclosure Statement listing references is provided herewith. Listed references are of record in U.S. patent application No. 13/267,554, filed October 6, 2011, which is the parent of this continuation application, and is relied upon for an earlier filing date under 35 USC 120. Copies of the references are not submitted pursuant to 37 CFR §1.98(d). Any foreign references may also include English abstract(s) and/or machine translation(s), but no representation is made as to their accuracy. Identification herein is not an admission that any of the references are prior art to the above captioned application.

If the Examiner would like additional information regarding these references or if anything is unclear, the Examiner is invited to contact the undersigned for assistance.

The claims of the present application are different and possibly broader in scope than the claims pursued in a parent application (e.g., U.S. Pat. Appl. No. 11/392,348). To the extent any prior amendments or characterizations of the scope of any claim or referenced art could be construed as a disclaimer of any subject matter supported by the present disclosure, Applicant hereby rescinds and retracts such disclaimer. Accordingly, the references previously considered in the parent application may need to be re-visited.

Application No.: 14/698,673 Filing Date: April 28, 2015

Related Applications of Assignee

Applicant wishes to draw the Examiner's attention to the following patents and/or applications in the same patent family as the present application.

Attorney Docket	App. No. (Pat. No., if appl.)	Filing Date	Title
EDGE.005A	11/392,348 (U.S. Pat. 8,048,089)	Mar. 29, 2006	APPARATUS AND METHODS FOR TREATING THE SKIN
EDGE.005C1	13/267,554	Oct. 6, 2011	REMOVABLE TIPS FOR SKIN TREATMENT SYSTEMS
EDGE.005C2	14/698,673 (present application)	Apr. 28, 2015	CONSOLE SYSTEM FOR THE TREATMENT OF SKIN
EDGE.005C3	14/698,713	Apr. 28, 2015	METHODS AND SYSTEMS FOR EXTRACTION OF MATERIALS FROM SKIN
EDGE.005C4	14/700,789	Apr. 30, 2015	TIP WITH EMBEDDED MATERIALS FOR SKIN TREATMENT

Copies of these patents and patent applications, including any pending claims, office actions, allowances and/or other communications, are available through PALM and/or PAIR. However, if the Examiner so requests, Applicant will be happy to provide the Examiner with copies of any applications, pending claims, office actions, allowances, communications or any other documents, at any time.

Further, Applicant notes for the record that the claims of the present application are different and may be broader in scope than the claims in any related patent or application. To the extent that any statements made in a related case (such as amendments or characterizations regarding the scope of a claim or prior art) could be construed as a disclaimer of any subject matter supported by the present disclosure, Applicant rescinds and retracts such disclaimer. Accordingly, any listed or referenced prior art may need to be re-visited. Further, any objections or rejections made by the Examiner in the issued and allowed cases identified above may need to be re-visited.

Timing of Disclosure

This Information Disclosure Statement is being filed within three months of the filing date and no fee is believed to be required.

Case 2:20-cv-06082-GRB-ST Document 69-3 Filed 06/21/22 Page 134 of 363 PageID #:

Application No.: 14/698,673 Filing Date: April 28, 2015

The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment, to Account No. 11-1410.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: June 22, 2015 By:/Theodore G. Papagiannis/

Theodore G. Papagiannis Registration No. 61,546 Attorney of Record Customer No. 20995 (949) 760-0404

20778612

Case 2:20-cv-06082-GRB-ST Document 69-3 Filed 06/21/22 Page 135 of 363 PageID #: 4628

		1 10,02,00 29411410116
	Application No.	14/698,673
INFORMATION DISCLOSURE	Filing Date	April 28, 2015
STATEMENT BY APPLICANT	First Named Inventor	Ignon et al.
STATEMENT BY AFFEIGANT	Art Unit	Unknown
(Multiple sheets used when necessary)	Examiner	Unknown
SHEET 1 OF 13	Attorney Docket No.	EDGE.005C2

	U.S. PATENT DOCUMENTS					
Examiner Initials	Cite No.	Document Number Number - Kind Code (if known) Example: 1,234,567 B1	Publication Date MM-DD-YYYY	Name of Patentee or Applicant	Pages, Columns, Lines Where Relevant Passages or Relevant Figures Appear	
	1	2,608,032	08-26-1952	Garver		
	2	2,701,559	02-05-1955	Cooper		
	3	2,712,823	07-12-1955	Kurtin		
	4	2,867,214	01-06-1959	Wilson		
	5	2,881,763	04-14-1959	Robbins		
	6	2,921,585	01-19-1960	Schumann		
	7	3,085,573	04-16-1963	Meyer et al.		
	8	3,214,869	11-02-1965	Stryker		
	9	3,476,112	11-04-1969	Elstein		
	10	3,574,239	04-13-1971	Sollerud		
	11	3,715,838	02-13-1973	Young et al.		
	12	3,948,265	04-06-1976	Al Ami		
	13	3,964,212	06-22-1976	Karden		
	14	3,977,084	08-31-1976	Sloan		
	15	4,121,388	10-24-1978	Wilson		
	16	4,155,721	05-22-1979	Fletcher		
	17	4,182,329	01-08-1980	Smith et al.		
	18	4,203,431	05-20-1980	Abura et al.		
	19	4,216,233	08-05-1980	Stein		
	20	4,299,219	11-10-1981	Norris, Jr.		
	21	4,378,804	04-05-1983	Cortese		
	22	4,560,373	12-24-1985	Sugino et al.		
	23	4,646,480	03-03-1987	Williams		
	24	4,646,482	03-03-1987	Chitjian		
	25	4,655,743	04-07-1987	Hyde		
	26	4,676,749	06-30-1987	Mabille		
	27	4,706,676	11-17-1987	Peck		
	28	4,754,756	07-05-1988	Shelanski		
	29	4,757,814	07-19-1988	Wang et al.		

Examiner Signature	Date Considered
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^{*}Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

T¹ - Place a check mark in this area when an English language Translation is attached.

Case 2:20-cv-06082-GRB-ST Document 69-3 Filed 06/21/22 Page 136 of 363 PageID #: 4629

		1 1 G/OB/CO Equivalent
	Application No.	14/698,673
INFORMATION DISCLOSURE	Filing Date	April 28, 2015
STATEMENT BY APPLICANT	First Named Inventor	Ignon et al.
STATEMENT BY APPLICANT	Art Unit	Unknown
(Multiple sheets used when necessary)	Examiner	Unknown
SHEET 2 OF 13	Attorney Docket No.	EDGE.005C2

	U.S. PATENT DOCUMENTS					
Examiner Initials	Cite No.	Document Number Number - Kind Code (if known) Example: 1,234,567 B1	Publication Date MM-DD-YYYY	Name of Patentee or Applicant	Pages, Columns, Lines Where Relevant Passages or Relevant Figures Appear	
	30	4,764,362	08-16-1988	Barchas		
	31	4,795,421	01-03-1989	Blasius, Jr., et al.		
	32	4,875,287	10-24-1989	Creasy et al.		
	33	4,886,078	12-12-1989	Shiffman		
	34	4,887,994	12-12-1989	Shiffmann		
	35	4,900,316	02-13-1990	Yamamoto		
	36	4,917,086	04-17-1990	Feltovich et al.		
	37	4,925,450	05-15-1990	Imonti et al.		
	38	4,957,747	09-18-1990	Stiefel		
	39	5,006,004	04-09-1991	Dirksing et al.		
	40	5,006,339	04-09-1991	Bargery et al.		
	41	5,012,797	05-07-1991	Liang et al.		
	42	5,035,089	07-30-1991	Tillman et al.		
	43	5,037,431	08-06-1991	Summers et al.		
	44	5,037,432	08-06-1991	Molinari		
	45	5,100,412	03-31-1992	Rosso		
	46	5,100,424	03-31-1992	Jang		
	47	5,119,839	06-09-1992	Rudolph		
	48	5,122,153	06-16-1992	Harrel		
	49	5,207,234	05-04-1993	Rosso		
	50	5,222,956	06-29-1993	Waldron		
	51	5,242,433	09-07-1993	Smith et al.		
	52	5,254,109	10-19-1993	Smith et al.		
	53	5,368,581	11-29-1994	Smith et al.		
	54	5,391,151	02-21-1995	Wilmot		
	55	5,417,674	05-23-1995	Smith et al.		
	56	5,419,772	05-30-1995	Teitz et al.		
	57	5,460,620	10-24-1995	Smith et al.		
	58	5,470,323	11-28-1995	Smith et al.		

Examiner Signature	Date Considered
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^{*}Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

T¹ - Place a check mark in this area when an English language Translation is attached.

PTO/SB/08 Equivalent

	Application No.	14/698,673
INFORMATION DISCLOSURE	Filing Date	April 28, 2015
STATEMENT BY APPLICANT	First Named Inventor	Ignon et al.
STATEMENT BY AFFLICANT	Art Unit	Unknown
(Multiple sheets used when necessary)	Examiner	Unknown
SHEET 3 OF 13	Attorney Docket No.	EDGE.005C2

	U.S. PATENT DOCUMENTS						
Examiner Initials	Cite No.	Document Number Number - Kind Code (if known) Example: 1,234,567 B1	Publication Date MM-DD-YYYY	Name of Patentee or Applicant	Pages, Columns, Lines Where Relevant Passages or Relevant Figures Appear		
	59	5,484,427	01-16-1996	Gibbons			
	60	5,562,642	10-08-1996	Smith et al.			
	61	5,611,687	03-18-1997	Wagner			
	62	5,612,797	03-18-1997	Liang et al.			
	63	5,674,235	10-07-1997	Parisi			
	64	5,676,643	10-14-1997	Cann et al.			
	65	5,676,648	10-14-1997	Henley			
	66	5,683,971	11-04-1997	Rose et al.			
	67	5,707,383	01-13-1998	Bays			
	68	5,713,785	02-03-1998	Nishio			
	69	5,759,185	06-02-1998	Grinberg			
	70	5,779,519	07-14-1998	Oliver			
	71	5,800,446	09-01-1998	Banuchi			
	72	5,807,353	09-15-1998	Schmitz			
	73	5,810,842	09-22-1998	Di Fiore at al.			
	74	5,813,416	09-29-1998	Rudolph			
	75	5,817,050	10-06-1998	Klein			
	76	5,846,215	12-08-1998	Zygmont			
	77	5,848,998	12-15-1998	Marasco, Jr.			
	78	5,861,142	01-19-1999	Schick			
	79	5,873,881	02-23-1999	McEwen et al.			
	80	5,879,323	03-09-1999	Henley			
	81	5,882,201	03-16-1999	Salem			
	82	5,885,260	03-23-1999	Mehl, Sr., et al.			
	83	5,908,401	06-01-1999	Henley			
	84	5,919,152	07-06-1999	Zygmont			
	85	5,954,730	09-21-1999	Bernabei			
	86	5,971,999	10-26-1999	Naldoni			
	87	5,980,555	11-09-1999	Barbut et al.			

Date Considered Examiner Signature

^{*}Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

T¹ - Place a check mark in this area when an English language Translation is attached.

Case 2:20-cv-06082-GRB-ST Document 69-3 Filed 06/21/22 Page 138 of 363 PageID #: 4631

		1 1 G/OB/CO Equivalent
	Application No.	14/698,673
INFORMATION DISCLOSURE	Filing Date	April 28, 2015
STATEMENT BY APPLICANT	First Named Inventor	Ignon et al.
STATEMENT BY AFFEIGANT	Art Unit	Unknown
(Multiple sheets used when necessary)	Examiner	Unknown
SHEET 4 OF 13	Attorney Docket No.	EDGE.005C2

	U.S. PATENT DOCUMENTS						
Examiner Initials	Cite No.	Document Number Number - Kind Code (if known) Example: 1,234,567 B1	Publication Date MM-DD-YYYY	Name of Patentee or Applicant	Pages, Columns, Lines Where Relevant Passages or Relevant Figures Appear		
	88	6,019,749	02-01-2000	Fields et al.			
	89	6,024,733	02-15-2000	Eggers et al.			
	90	6,027,402	02-22-2000	Oliver			
	91	6,039,745	03-21-2000	Di Fiore et al.			
	92	6,042,552	03-28-2000	Cornier			
	93	6,080,165	06-27-2000	DeJacma			
	94	6,080,166	06-27-2000	McEwen et al.			
	95	6,090,085	07-18-2000	Mehl, Sr. Et al.			
	96	6,120,512	09-19-2000	Bernabei			
	97	6,136,008	10-24-2000	Becker et al.			
	98	6,139,553	10-31-2000	Dotan			
	99	6,139,554	10-31-2000	Karkar et al.			
	100	6,142,155	11-07-2000	Rudolph			
	101	6,149,634	11-21-2000	Bernabei			
	102	6,159,226	12-12-2000	Kim			
	103	6,162,232	12-19-2000	Shadduck			
	104	6,183,451	02-06-2001	Mehl, Sr., et al.			
	105	6,183,483	02-06-2001	Chang			
	106	6,231,593	05-15-2001	Meserol			
	107	6,238,275	05-29-2001	Metcalf et al.			
	108	6,241,739	06-05-2001	Waldron			
	109	6,264,666	07-24-2001	Coleman et al.			
	110	6,277,128	08-21-2001	Muldner			
	111	6,283,978	09-04-2001	Cheski et al.			
	112	6,299,620	10-09-2001	Shadduck			
	113	6,306,119	10-23-2001	Weber et al.			
	114	6,306,147	10-23-2001	Bernabei et al.			
	115	6,322,568	11-27-2001	Bernabei et al.			
	116	6,368,333	04-09-2002	Bernabei et al.			

Examiner Signature	Date Considered
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^{*}Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

T¹ - Place a check mark in this area when an English language Translation is attached.

Case 2:20-cv-06082-GRB-ST Document 69-3 Filed 06/21/22 Page 139 of 363 PageID #: 4632

		1 10,02,00 2941741011
	Application No.	14/698,673
INFORMATION DISCLOSURE	Filing Date	April 28, 2015
STATEMENT BY APPLICANT	First Named Inventor	Ignon et al.
STATEMENT BY AFFEIGANT	Art Unit	Unknown
(Multiple sheets used when necessary)	Examiner	Unknown
SHEET 5 OF 13	Attorney Docket No.	EDGE.005C2

U.S. PATENT DOCUMENTS						
Examiner Initials	Cite No.	Document Number Number - Kind Code (if known) Example: 1,234,567 B1	Publication Date MM-DD-YYYY	Name of Patentee or Applicant	Pages, Columns, Lines Where Relevant Passages or Relevant Figures Appear	
	117	6,387,103	05-14-2002	Shadduck		
	118	6,409,736	06-25-2002	Bernabei		
	119	6,410,599	06-25-2002	Johnson		
	120	6,414,032	07-02-2002	Johnson		
	121	6,420,431	07-16-2002	Johnson		
	122	6,423,078	07-23-2002	Bays et al.		
	123	6,423,750	07-23-2002	Johnson		
	124	RE 37,796	07-23-2002	Henley		
	125	6,432,113	08-13-2002	Parkin et al.		
	126	6,471,712	10-29-2002	Burres		
	127	6,477,410	11-05-2002	Henley et al.		
	128	6,482,212	11-19-2002	Bernabei et al.		
	129	6,488,646	12-03-2002	Zygmont		
	130	6,494,856	12-17-2002	Zygmont		
	131	6,500,183	12-31-2002	Waldron		
	132	6,503,256	01-07-2003	Parkin et al.		
	133	6,511,486	01-28-2003	Mercier et al.		
	134	6,514,262	02-04-2003	Di Fiore, et al.		
	135	6,527,783	03-04-2003	lgnon		
	136	6,535,761	03-18-2003	Bernabei		
	137	6,540,757	04-01-2003	Hruska et al.		
	138	6,562,013	05-13-2003	Marasco, Jr.		
	139	6,562,050	05-13-2003	Owen		
	140	6,564,093	05-13-2003	Ostrow et al.		
	141	6,565,535	05-20-2003	Zaias et al.		
	142	6,582,442	06-24-2003	Simon et al.		
	143	6,592,595	07-15-2003	Mallett et al.		
	144	6,629,983	10-07-2003	lgnon		
	145	6,641,591	11-04-2003	Shadduck		

Examiner Signature	Date Considered
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^{*}Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

T¹ - Place a check mark in this area when an English language Translation is attached.

Case 2:20-cv-06082-GRB-ST Document 69-3 Filed 06/21/22 Page 140 of 363 PageID #: 4633

	Application No.	14/698,673
INFORMATION DISCLOSURE	Filing Date	April 28, 2015
STATEMENT BY APPLICANT	First Named Inventor	Ignon et al.
STATEMENT BY APPLICANT	Art Unit	Unknown
(Multiple sheets used when necessary)	Examiner	Unknown
SHEET 6 OF 13	Attorney Docket No.	EDGE.005C2

			U.S. PATENT [DOCUMENTS	
Examiner Initials	Cite No.	Document Number Number - Kind Code (if known) Example: 1,234,567 B1	Publication Date MM-DD-YYYY	Name of Patentee or Applicant	Pages, Columns, Lines Where Relevant Passages or Relevant Figures Appear
	146	6,645,184	11-11-2003	Zelickson et al.	
	147	6,652,888	11-25-2003	Rhoades	
	148	6,673,081	01-06-2004	Tavger et al.	
	149	6,673,082	01-06-2004	Mallett et al.	
	150	6,685,853	02-03-2004	Angelopoulous et al.	
	151	6,687,537	02-03-2004	Bernabei	
	152	6,695,853	02-24-2004	Karasiuk	
	153	6,735,470	05-11-2004	Henley et al.	
	154	6,743,215	06-01-2004	Bernabei	
	155	6,764,493	07-20-2004	Weber et al.	
	156	6,869,611	03-22-2005	Kligman et al.	
	157	6,905,487	06-14-2005	Zimmerman	
	158	6,911,031	06-28-2005	Muldner	
	159	6,924,649	08-02-2005	Knoedgen	
	160	6,926,681	08-09-2005	Ramey, et al.	
	161	6,942,649	09-13-2005	Ignon et al.	
	162	7,001,355	02-21-2006	Nunomura et al.	
	163	7,004,933	02-28-2006	McCaniel	
	164	7,044,938	05-16-2006	La Bianco et al.	
	165	7,052,503	05-30-2006	Bernabei	
	166	7,069,073	06-27-2006	Henley et al.	
	167	7,070,488	07-04-2006	Suissa et al.	
	168	7083,580	08-01-2006	Bernabei	
	169	7,087,063	08-08-2006	Carson et al.	
	170	7,094,252	08-22-2006	Коор	
	171	7,115,275	10-03-2006	Clarot et al.	
	172	7,135,011	11-14-2006	Powers et al.	
	173	7,153,311	12-26-2006	Chung	
	174	7,197,359	03-27-2007	Tokudome et al.	

Examiner Signature	Date Considered
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^{*}Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

T¹ - Place a check mark in this area when an English language Translation is attached.

Case 2:20-cv-06082-GRB-ST Document 69-3 Filed 06/21/22 Page 141 of 363 PageID #: 4634

		1 1 O/OB/00 Equivalent
	Application No.	14/698,673
INFORMATION DISCLOSURE	Filing Date	April 28, 2015
STATEMENT BY APPLICANT	First Named Inventor	Ignon et al.
STATEMENT BY AFFEIGANT	Art Unit	Unknown
(Multiple sheets used when necessary)	Examiner	Unknown
SHEET 7 OF 13	Attorney Docket No.	EDGE.005C2

	U.S. PATENT DOCUMENTS						
Examiner Initials	Cite No.	Document Number Number - Kind Code (if known) Example: 1,234,567 B1	Publication Date MM-DD-YYYY	Name of Patentee or Applicant	Pages, Columns, Lines Where Relevant Passages or Relevant Figures Appear		
	175	7,198,623	04-03-2007	Fischer et al.			
	176	7,241,208	07-10-2007	Suissa et al.			
	177	7,276,051	10-02-2007	Henley et al.			
	178	7,314,326	01-01-2008	Rosenberg			
	179	7,316,657	01-08-2008	Kleinhenz et al.			
	180	7,318,828	01-15-2008	Revivo			
	181	7,320,691	01-22-2008	Pilcher et al.			
	182	7,320,801	01-22-2008	Kelly			
	183	7,354,423	04-08-2008	Zelickson et al.			
	184	7,364,565	04-29-2008	Freeman			
	185	7,384,405	06-10-2008	Rhoades			
	186	7,427,273	09-23-2008	Mitsui			
	187	7,458,944	12-02-2008	Liste et al.			
	188	7,476,205	01-13-2009	Erdmann			
	189	7,477,938	01-13-2009	Sun et al.			
	190	7,482,314	01-27-2009	Grimes et al.			
	191	7,489,989	02-10-2009	Sukhanov et al.			
	192	7,507,228	03-24-2009	Sun et al.			
	193	7,582,067	09-01-2009	Van Acker			
	194	7,597,900	10-06-2009	Zimmer et al.			
	195	7,597,901	10-06-2009	Clarot et al.			
	196	7,658,742	02-09-2010	Karasiuk			
	197	7,678,120	03-16-2010	Shadduck			
	198	7,744,582	06-29-2010	Sadowski et al.			
	199	7,789,886	09-07-2010	Shadduck			
	200	7,837,695	11-23-2010	Hart et al.			
	201	7,901,373	03-08-2011	Tavger			
	202	7,951,156	05-31-2011	Karasiuk			
	203	8,025,669	09-27-2011	David et al.			

Examiner Signature	Date Considered
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^{*}Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

T¹ - Place a check mark in this area when an English language Translation is attached.

Case 2:20-cv-06082-GRB-ST Document 69-3 Filed 06/21/22 Page 142 of 363 PageID #: 4635

		1 10,02,00 29411410116
	Application No.	14/698,673
INFORMATION DISCLOSURE	Filing Date	April 28, 2015
STATEMENT BY APPLICANT	First Named Inventor	Ignon et al.
STATEMENT BY AFFEIGANT	Art Unit	Unknown
(Multiple sheets used when necessary)	Examiner	Unknown
SHEET 8 OF 13	Attorney Docket No.	EDGE.005C2

	U.S. PATENT DOCUMENTS					
Examiner Initials	Cite No.	Document Number Number - Kind Code (if known) Example: 1,234,567 B1	Publication Date MM-DD-YYYY	Name of Patentee or Applicant	Pages, Columns, Lines Where Relevant Passages or Relevant Figures Appear	
	204	8,048,089	11-01-2011	lgnon et al.		
	205	RE42960	11-22-2011	Waldron		
	206	8,066,716	11-29-2011	Shadduck		
	207	8,088,085	01-03-2012	Thiebaut et al.		
	208	8,128,638	03-06-2012	Karasiuk et al.		
	209	8,221,437	07-17-2012	Waldron et al.		
	210	8,236,008	08-07-2012	Boone, III et al.		
	211	8,277,287	10-02-2012	Hart		
	212	8,337,513	12-25-2012	Shadduck		
	213	8,343,116	01-01-2013	lgnon et al.		
	214	8,814,836	08-26-2014	lgnon et al.		
	215	2001/0023351	09-20-2001	Eilers		
	216	2001/0049511	12-06-2001	Coleman et al.		
	217	2002/0016601	02-07-2002	Shadduck		
	218	2002/0041891	04-11-2002	Cheski		
	219	2002/0058952	05-16-2002	Weber et al.		
	220	2002/0107527	08-08-2002	Burres		
	221	2002/0133110	09-19-2002	Citow		
	222	2002/0151826	10-17-2002	Ramey et al		
	223	2002/0188261	12-12-2002	Hruska		
	224	2003/0012415	01-16-2003	Cossel		
	225	2003/0060834	03-27-2003	Muldner		
	226	2003/0093040	05-15-2003	Mikszta et al.		
	227	2003/0093089	05-15-2003	Greenberg		
	228	2003/0097139	05-22-2003	Karasiuk		
	229	2003/0187462	10-14-2003	Chang		
	230	2003/0208159	11-06-2003	Ignon, et al.		
	231	2003/0212127	11-13-2003	Glassman et al.		
	232	2003/0212415	11-13-2003	Karasiuk		

Examiner Signature	Date Considered
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^{*}Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

T¹ - Place a check mark in this area when an English language Translation is attached.

Case 2:20-cv-06082-GRB-ST Document 69-3 Filed 06/21/22 Page 143 of 363 PageID #: 4636

		1 10,0B,00 Equitations
	Application No.	14/698,673
INFORMATION DISCLOSURE	Filing Date	April 28, 2015
STATEMENT BY APPLICANT	First Named Inventor	Ignon et al.
STATEMENT BY AFFEIGANT	Art Unit	Unknown
(Multiple sheets used when necessary)	Examiner	Unknown
SHEET 9 OF 13	Attorney Docket No.	EDGE.005C2

	U.S. PATENT DOCUMENTS Document Number Pages, Columns, Lines Where					
Examiner Initials	Cite No.	Number - Kind Code (if known) Example: 1,234,567 B1	Publication Date MM-DD-YYYY	Name of Patentee or Applicant	Relevant Passages or Relevant Figures Appear	
	233	2004/0010222	01-15-2004	Nunomura et al.		
	234	2004/0010269	01-15-2004	Grimes et al.		
	235	2004/0087972	05-06-2004	Mulholland, et al.		
	236	2004/0092895	05-13-2004	Harmon		
	237	2004/0097967	05-20-2004	Ignon		
	238	2004/0122447	06-24-2004	Harmon et al.		
	239	2004/0143274	07-22-2004	Shadduck		
	240	2004/0166172	08-26-2004	Rosati et al.		
	241	2004/0219179	11-04-2004	McDaniel		
	242	2004/0236291	11-25-2004	Zelickson et al.		
	243	2004/0243149	12-02-2004	Lee, John B. JR.		
	244	2004/0267285	12-30-2004	Chang		
	245	2005/0037034	02-17-2005	Rhoades		
	246	2005/0038448	02-17-2005	Chung		
	247	2005/0059940	03-17-2005	Weber et al.		
	248	2005/0084509	04-21-2005	Bernstein		
	249	2005/0148958	07-07-2005	Rucinski		
	250	2005/0203111	09-15-2005	David		
	251	2005/0209611	09-22-2005	Greenberg		
	252	2005/0283176	12-22-2005	Law		
	253	2006/0002960	01-05-2006	Zoeteweij et al.		
	254	2006/0191562	08-31-2006	Numomura		
	255	2006/0200099	09-07-2006	La Bianco et al.		
	256	2006/0200172	09-07-2006	Shadduck		
	257	2006/0200173	09-07-2006	Shadduck		
	258	2006/0212029	09-21-2006	Arcusa Villacampa et al.		
	259	2006/0253125	11-09-2006	lgnon		
	260	2006/0264893	11-23-2006	Sage, Jr. et al.		
	261	2007/0005078	01-04-2007	Hart et al.		

Examiner Signature	Date Considered
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^{*}Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

T¹ - Place a check mark in this area when an English language Translation is attached.

Case 2:20-cv-06082-GRB-ST Document 69-3 Filed 06/21/22 Page 144 of 363 PageID #: 4637

		1 1 G/GB/GG Equivalent
	Application No.	14/698,673
INFORMATION DISCLOSURE	Filing Date	April 28, 2015
STATEMENT BY APPLICANT	First Named Inventor	Ignon et al.
STATEMENT BY AFFEIGANT	Art Unit	Unknown
(Multiple sheets used when necessary)	Examiner	Unknown
SHEET 10 OF 13	Attorney Docket No.	EDGE.005C2

U.S. PATENT DOCUMENTS					
Examiner Initials	Cite No.	Document Number Number - Kind Code (if known) Example: 1,234,567 B1	Publication Date MM-DD-YYYY	Name of Patentee or Applicant	Pages, Columns, Lines Where Relevant Passages or Relevant Figures Appear
	262	2007/0043382	02-22-2007	Cheney	
	263	2007/0065515	03-22-2007	Key	
	264	2007/0123808	03-31-2007	Rhoades	
	265	2007/0088371	04-19-2007	Karasiuk	
	266	2007/0154502	07-05-2007	Hattendorf et al.	
	267	2007/0156124	07-05-2007	Ignon et al.	
	268	2007/0178121	08-02-2007	First et al.	
	269	2007/0198031	08-23-2007	Kellogg	
	270	2007/0208353	09-06-2007	Shadduck	
	271	2007/0239173	10-11-2007	Khalaj	
	272	2008/0027328	01-31-2008	Klopotek et al.	
	273	2008/0091179	04-17-2008	Durkin et al.	
	274	2008/0119781	05-22-2008	King	
	275	2008/0132914	06-05-2008	Bossard et al.	
	276	2008/0139974	06-12-2008	Da Silva	
	277	2008/0193493	08-14-2008	Rhoades	
	278	2008/0200861	08-21-2008	Shalev et al.	
	279	2008/0214987	09-04-2008	Xu	
	280	2008/0215068	09-04-2008	Hart et al.	
	281	2008/0243039	10-02-2008	Rhoades	
	282	2008/0287864	11-20-2008	Rosenberg	
	283	2008/0300529	12-04-2008	Reinstein	
	284	2008/0300552	12-04-2008	Cichocki et al.	
	285	2009/0048557	02-19-2009	Yeshurun et al.	
	286	2009/0053390	02-26-2009	Sakou et al.	
	287	2009/0099091	04-16-2009	Hantash	
	288	2009/0099093	04-16-2009	Hantash	
	289	2009/0124985	05-14-2009	Hasenoehrl et al.	
	290	2009/0138026	05-28-2009	Wu	

Examiner Signature	Date Considered
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^{*}Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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Case 2:20-cv-06082-GRB-ST Document 69-3 Filed 06/21/22 Page 145 of 363 PageID #: 4638

PTO/SB/08	Equivalent

	Application No.	14/698,673
INFORMATION DISCLOSURE	Filing Date	April 28, 2015
STATEMENT BY APPLICANT	First Named Inventor	Ignon et al.
STATEMENT BY APPLICANT	Art Unit	Unknown
(Multiple sheets used when necessary)	Examiner	Unknown
SHEET 11 OF 13	Attorney Docket No.	EDGE.005C2

U.S. PATENT DOCUMENTS							
Examiner Cit Initials No		Document Number Number - Kind Code (if known) Example: 1,234,567 B1	Publication Date MM-DD-YYYY	Name of Patentee or Applicant	Pages, Columns, Lines Wher Relevant Passages or Releval Figures Appear		
	291	2009/0177171	07-09-2009	Ignon et al.			
	292	2009/0192442	07-30-2009	lgnon et al.			
	293	2009/0222023	09-03-2009	Boone, III et al.			
	294	2010/0045427	02-25-2010	Boone, III et al.			
	295	2010/0049177	02-25-2010	Boone, III et al.			
	296	2010/0049210	02-25-2010	Boone, III et al.			
	297	2011/0054490	03-03-2011	Hart			
	298	2011/0066162	03-17-2011	Cohen			
	299	2011/0082415	04-07-2011	Ignon et al.			
	300	2012/0022435	01-26-2012	Ignon et al.			
	301	2012/0136374	03-31-2012	Karasiuk			
	302	2013/0018317	01-17-2013	Bobroff et al.			
	303	2013/0066336	03-14-2013	Boone, III et al.			
	304	2013/0096577	04-18-2013	Shadduck			
	305	2013/0102978	04-25-2013	Ignon et al.			
	306	2013/0144280	06-06-2013	Eckhouse et al.			
	307	2013/0158547	06-20-2013	David			
	308	2014/0343481	11-20-2014	lgnon			
	309	2014/0343574	11-20-2014	Ignon et al.			
	310	2015/0032047	01-29-2015	Ignon et al.			

	FOREIGN PATENT DOCUMENTS								
Examiner Initials	Cite No.	Foreign Patent Document Country Code-Number-Kind Code Example: JP 1234567 A1	Publication Date MM-DD-YYYY	Name of Patentee or Applicant	Pages, Columns, Lines Where Relevant Passages or Relevant Figures Appear	T¹			
	311	DD 234 608	04-09-1986	Rath					
	312	DE 34 21 390 A1	12-12-1985	Schubert					
	313	DE 10 2004 015815 A1	11-03-2005	Bundersrepublik Deutschland					
	314	EP 0 258 901	09-03-1987	Tonokura Ika Kogyo Co. LTD					
	315	EP 0 564 392	03-03-1993	Fructuoso Martinez					
	316	IT 553 076	12-01-1956	Facconi					

Examiner Signature Date Considered

^{*}Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

T¹ - Place a check mark in this area when an English language Translation is attached.

Case 2:20-cv-06082-GRB-ST Document 69-3 Filed 06/21/22 Page 146 of 363 PageID #: 4639

		PTO/SB/08 Equivalent
	Application No.	14/698,673
INFORMATION DISCLOSURE	Filing Date	April 28, 2015
STATEMENT BY APPLICANT	First Named Inventor	Ignon et al.
STATEMENT BY AFFEIGANT	Art Unit	Unknown
(Multiple sheets used when necessary)	Examiner	Unknown
SHEET 12 OF 13	Attorney Docket No.	EDGE.005C2

		F	OREIGN PATE	ENT DOCUMENTS		
Examiner Cite Initials No.		Foreign Patent Document Country Code-Number-Kind Code Example: JP 1234567 A1	Publication Date MM-DD-YYYY	Name of Patentee or Applicant	Pages, Columns, Lines Where Relevant Passages or Relevant Figures Appear	T¹
	317	IT 118 49 22	03-22-1985	Porqueddu		
	318	JP1993-088552	12-03-1993	Sumitomo Bakelite Co., Ltd.		Х
	319	JP09-294747	11-18-1997	Fukutaro, Yamazaki		X Abstract
	320	JP2003-339713	12-02-2003	Twinbird Corp		710311401
	321	JP2006-503627 (English abstract of WO 2004/037098)	02-02-2006	Bionoface		X Abstract
	322	JP2006-204767	10-08-2006	Matsushita Electric Works		X Abstract
	323	KR 20-0280320 (with English machine translation obtained from Korean Intellectual Property Office website, http://eng.kipris.or.kr/enghome/main.jsp)	07-02-2002	Lee		Х
	324	WO 2000/015300	03-23-2000	Ultra Cure Ltd		
	325	WO 2001/93931	12-13-2001	Becton, Dickinson and Company		
	326	WO 2003/073917	09-12-2003	Edge Systems		
	327	WO 2004/037098	05-06-2004	Bionoface		
	328	WO 2005/070313	08-04-2005	Crystal Clear International Limited		
	329	WO 2006/018731	02-23-2006	Mc Anton Holding SA		
	330	WO 2007/114904	10-11-2007	Amcol International Corporation		
	331	WO 2012/145667	10-26-2012	Sun-Less, Inc.		

	NON PATENT LITERATURE DOCUMENTS							
Examiner Initials Cite No. Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.								
	Cox III et al., Decreased Splatter in Dermabrasion, Arch Facial Plastic Surgery, Jan-Mar 2000, Vol. 2, pp. 23-26.							
	333	Ditre et al., Effect of α-hydroxy acids on photoaged skin: A pilot clinical, histologic, and ultrastructural study, Journal of American Academy of Dermatology, February 1996, Vol. 34, No. 2, Part 1, pp. 187-195.						

Examiner Signature	Date Considered
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^{*}Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

T¹ - Place a check mark in this area when an English language Translation is attached.

Case 2:20-cv-06082-GRB-ST Document 69-3 Filed 06/21/22 Page 147 of 363 PageID #: 4640

	10.10	PTO/SB/08 Equivalent
	Application No.	14/698,673
INFORMATION DISCLOSURE	Filing Date	April 28, 2015
STATEMENT BY APPLICANT	First Named Inventor	Ignon et al.
STATEMENT BY AFFLICANT	Art Unit	Unknown
(Multiple sheets used when necessary)	Examiner	Unknown
SHEET 13 OF 13	Attorney Docket No.	EDGE.005C2

	NON PATENT LITERATURE DOCUMENTS							
Examiner Initials	itam (hook magazina jaurnal carial aymnacium catalag ata) data naga(a) yaluma jacua							
	334	Harris et al., Combining Manual Dermasanding with Low Stregnth Trichloroacetic Acid to Improve Antinically Injured Skin, The Journal of Dermatologic Surgery and Oncology, July 1994, Vol. 20, No. 7, pp. 436-442.						

20778469

Examiner Signature Date Considered

^{*}Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

T¹ - Place a check mark in this area when an English language Translation is attached.

Electronic Patent Application Fee Transmittal								
Application Number: 14698673								
Filing Date: 28-Apr-2015								
Title of Invention:	CONSOLE SYSTEM FOR THE TREATMENT OF SKIN							
First Named Inventor/Applicant Name:	Roge	er Ignon						
Filer:	Theo	odore G. Papagian	inis					
Attorney Docket Number:	EDG	E.005C2						
Filed as Small Entity								
Filing Fees for Utility under 35 USC 111(a)								
Description		Fee Code	Quantity	Amount	Sub-Total in USD(\$)			
Basic Filing:	•							
Utility filing Fee (Electronic filing)		4011	1	70	70			
Utility Search Fee		2111	1	300	300			
Utility Examination Fee		2311	1	360	360			
Pages:								
Claims:								
Miscellaneous-Filing:								
Late Filing Fee for Oath or Declaration		2051	1	70	70			
Petition:								

Case 2:20-cv-06082-GRB-ST Description	Document 69)-3 Filed 06/2 ^{:642} Fee Code	2 <mark>1/22 Pag</mark> Quantity	e 149 of 363 Amount	PageID #: Sub-Total in USD(\$)
Patent-Appeals-and-Interference:					
Post-Allowance-and-Post-Issuance:					
Extension-of-Time:					
Miscellaneous:					
		Tot	al in USD	(\$)	800

	Case 2:20-cv-06082-GRB-ST Document 69-3 Filed 06/21/22 Page 150 of 363 PageID #: Electronic Acknowledgement Receipt			
EFS ID:	22696586			
Application Number:	14698673			
International Application Number:				
Confirmation Number:	7926			
Title of Invention:	CONSOLE SYSTEM FOR THE TREATMENT OF SKIN			
First Named Inventor/Applicant Name:	Roger Ignon			
Customer Number:	20995			
Filer:	Theodore G. Papagiannis/Gustavo Lopez			
Filer Authorized By:	Theodore G. Papagiannis			
Attorney Docket Number:	EDGE.005C2			
Receipt Date:	22-JUN-2015			
Filing Date:	28-APR-2015			
Time Stamp:	13:40:34			
Application Type:	Utility under 35 USC 111(a)			

Payment information:

Submitted with Payment	yes
Payment Type	Credit Card
Payment was successfully received in RAM	\$800
RAM confirmation Number	10628
Deposit Account	111410
Authorized User	KNOBBE MARTENS OLSON AND BEAR

The Director of the USPTO is hereby authorized to charge indicated fees and credit any overpayment as follows:

Charge any Additional Fees required under 37 C.F.R. Section 1.16 (National application filing, search, and examination fees)

Charge any Additional Fees required under 37 C.F.R. Section 1.17 (Patent application and reexamination processing fees)

File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1		EDGE-005C2_Response_MP_ID	717821	yes	17
'		S.pdf	a606cbd674d51d492f39c5c9896f1fae97bc eb72	yes	17
	Multip	part Description/PDF files in .:	zip description		
	Document De	scription	Start	E	nd
	Applicant Response to Pre-E	xam Formalities Notice	1		1
	Transmittal	2		4	
	Information Disclosure State	5		17	
Warnings:					
Information:					
2	Fee Worksheet (SB06)	fee-info.pdf	37133	no	2
	. 20		3bdbb03a6f0d99df6ec0b9bbe2b85df4e73 fc656		
Warnings:					
Information:					
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This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503.

New Applications Under 35 U.S.C. 111

If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.

National Stage of an International Application under 35 U.S.C. 371

If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.

New International Application Filed with the USPTO as a Receiving Office

If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.

	PAT	ENT APPL		N FEE DE itute for Form		TI	ON RECOR	D		tion or Docket Nur 8,673	nber
	APP	LICATION A	S FILE[lumn 2)		SMALL	ENTITY	OR		R THAN ENTITY
	FOR	NUMBI	R FILE	NUMBE	R EXTRA		RATE(\$)	FEE(\$)		RATE(\$)	FEE(\$)
	IC FEE FR 1.16(a), (b), or (c))		I/A	١	V/A		N/A	70	1	N/A	
	RCH FEE FR 1.16(k), (i), or (m))	1	I/A		V/A		N/A	300	1	N/A	
EXA	MINATION FEE FR 1.16(o), (p), or (q))	1	I/A		V/A		N/A	360	1	N/A	
TOT	AL CLAIMS FR 1.16(i))	20	minus 2	20= *			x 40 =	0.00	OR		
IND	EPENDENT CLAII FR 1.16(h))	MS 2	minus (3 = *			x 210 =	0.00	1		
APF FEE	PLICATION SIZ	E sheets of \$310 (\$15 50 sheets	paper, the 55 for sma or fractio	and drawings e e application si all entity) for ea n thereof. See CFR 1.16(s).	ze fee due is ch additional			0.00			
MULTIPLE DEPENDENT CLAIM PRESENT (37 CFR 1.16(j)) 0.00						0.00	1				
* If t	he difference in co	olumn 1 is less t	nan zero, e	enter "0" in colur	mn 2.	' '	TOTAL	730	1	TOTAL	
	APPLIC	(Column 1)	AMEND	(Column 2)	(Column 3)	1 1	SMALL	ENTITY	OR 1		R THAN ENTITY
A T		REMAINING AFTER AMENDMENT		NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA		RATE(\$)	ADDITIONAL FEE(\$)		RATE(\$)	ADDITIONAL FEE(\$)
AMENDMENT	Total (37 CFR 1.16(i))	*	Minus	**	=		x =		OR	x =	
END	Independent (37 CFR 1.16(h))	*	Minus	***	=		x =		OR	x =	
ΑM	Application Size Fe	ee (37 CFR 1.16(s))		•]		
	FIRST PRESENTA	TION OF MULTIP	LE DEPENI	DENT CLAIM (37 C	CFR 1.16(j))				OR		
							TOTAL ADD'L FEE		OR	TOTAL ADD'L FEE	
		(Column 1)		(Column 2)	(Column 3)	1 1		1	1		1
NT B		CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA		RATE(\$)	ADDITIONAL FEE(\$)		RATE(\$)	ADDITIONAL FEE(\$)
ME	Total (37 CFR 1.16(i))	*	Minus	**	=		x =		OR	x =	
AMENDMENT	Independent (37 CFR 1.16(h))	*	Minus	***	=		х =		OR	x =	
AM	Application Size Fe	ee (37 CFR 1.16(s))		•				1		
	FIRST PRESENTA	TION OF MULTIP	LE DEPENI	DENT CLAIM (37 (DFR 1.16(j))				OR		
							TOTAL ADD'L FEE		OR	TOTAL ADD'L FEE	
**	* If the "Highest Nu	lumber Previous ımber Previously	sly Paid Fo Paid For" I	or" IN THIS SPA N THIS SPACE i:	CE is less thar s less than 3, er	n 20 nter), enter "20".	in column 1.			



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ATTY. DOCKET NO./TITLE APPLICATION NUMBER FILING OR 371(C) DATE FIRST NAMED APPLICANT 14/698,673

04/28/2015 Roger Ignon EDGE.005C2

CONFIRMATION NO. 7926 INFORMAL NOTICE

20995 KNOBBE MARTENS OLSON & BEAR LLP 2040 MAIN STREET FOURTEENTH FLOOR **IRVINE, CA 92614**



Date Mailed: 06/26/2015

INFORMATIONAL NOTICE TO APPLICANT

Applicant is notified that the above-identified application contains the deficiencies noted below. No period for reply is set forth in this notice for correction of these deficiencies. However, if a deficiency relates to the inventor's oath or declaration, the applicant must file an oath or declaration in compliance with 37 CFR 1.63, or a substitute statement in compliance with 37 CFR 1.64, executed by or with respect to each actual inventor no later than the expiration of the time period set in the "Notice of Allowability" to avoid abandonment. See 37 CFR 1.53(f).

The item(s) indicated below are also required and should be submitted with any reply to this notice to avoid further processing delays.

 A properly executed inventor's oath or declaration has not been received for the following inventor(s): Roger Ignon Scott Mallett Abraham Solano William Cohen

> Questions about the contents of this notice and the requirements it sets forth should be directed to the Office of Data Management, Application Assistance Unit, at (571) 272-4000 or (571) 272-4200 or 1-888-786-0101.

/nbekele/		

Case 2:20-cv-06082-GRB-ST Document 69-3 Filed 06/21/22 Page 154 of 363 PageID #: 4647



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE United States Patent and Trademark Office Address: COMMISSIONER FOR PATENTS PO Box 1450 Alexandria, Virginia 22313-1450 www.tspto.gov

FILING or GRP ART APPLICATION FIL FEE REC'D ATTY.DOCKET.NO TOT CLAIMS 371(c) DATE UNIT IND CLAIMS NUMBER 20 14/698,673 04/28/2015 800 EDGE.005C2 2

20995 KNOBBE MARTENS OLSON & BEAR LLP 2040 MAIN STREET FOURTEENTH FLOOR IRVINE, CA 92614 CONFIRMATION NO. 7926 UPDATED FILING RECEIPT

Date Mailed: 06/26/2015

Receipt is acknowledged of this non-provisional patent application. The application will be taken up for examination in due course. Applicant will be notified as to the results of the examination. Any correspondence concerning the application must include the following identification information: the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please submit a written request for a Filing Receipt Correction. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections

Inventor(s)

Roger Ignon, Redondo Beach, CA; Scott Mallett, Coto De Caza, CA; Abraham Solano, Corona, CA; William Cohen, Los Alamitos, CA;

Applicant(s)

EDGE SYSTEMS LLC, Signal Hill, CA;

Power of Attorney: None

Domestic Priority data as claimed by applicant

This application is a CON of 13/267,554 10/06/2011 which is a CON of 11/392,348 03/29/2006 PAT 8048089 which claims benefit of 60/755,310 12/30/2005 and claims benefit of 60/764,668 02/02/2006

Foreign Applications for which priority is claimed (You may be eligible to benefit from the **Patent Prosecution Highway** program at the USPTO. Please see http://www.uspto.gov for more information.) - None. Foreign application information must be provided in an Application Data Sheet in order to constitute a claim to foreign priority. See 37 CFR 1.55 and 1.76.

If Required, Foreign Filing License Granted: 05/07/2015

The country code and number of your priority application, to be used for filing abroad under the Paris Convention,

is **US 14/698,673**

Projected Publication Date: 10/01/2015

Non-Publication Request: No

Early Publication Request: No ** SMALL ENTITY **
Title

CONSOLE SYSTEM FOR THE TREATMENT OF SKIN

Preliminary Class

Statement under 37 CFR 1.55 or 1.78 for AIA (First Inventor to File) Transition Applications: No

PROTECTING YOUR INVENTION OUTSIDE THE UNITED STATES

Since the rights granted by a U.S. patent extend only throughout the territory of the United States and have no effect in a foreign country, an inventor who wishes patent protection in another country must apply for a patent in a specific country or in regional patent offices. Applicants may wish to consider the filing of an international application under the Patent Cooperation Treaty (PCT). An international (PCT) application generally has the same effect as a regular national patent application in each PCT-member country. The PCT process **simplifies** the filing of patent applications on the same invention in member countries, but **does not result** in a grant of "an international patent" and does not eliminate the need of applicants to file additional documents and fees in countries where patent protection is desired.

Almost every country has its own patent law, and a person desiring a patent in a particular country must make an application for patent in that country in accordance with its particular laws. Since the laws of many countries differ in various respects from the patent law of the United States, applicants are advised to seek guidance from specific foreign countries to ensure that patent rights are not lost prematurely.

Applicants also are advised that in the case of inventions made in the United States, the Director of the USPTO must issue a license before applicants can apply for a patent in a foreign country. The filing of a U.S. patent application serves as a request for a foreign filing license. The application's filing receipt contains further information and guidance as to the status of applicant's license for foreign filing.

Applicants may wish to consult the USPTO booklet, "General Information Concerning Patents" (specifically, the section entitled "Treaties and Foreign Patents") for more information on timeframes and deadlines for filing foreign patent applications. The guide is available either by contacting the USPTO Contact Center at 800-786-9199, or it can be viewed on the USPTO website at http://www.uspto.gov/web/offices/pac/doc/general/index.html.

For information on preventing theft of your intellectual property (patents, trademarks and copyrights), you may wish to consult the U.S. Government website, http://www.stopfakes.gov. Part of a Department of Commerce initiative, this website includes self-help "toolkits" giving innovators guidance on how to protect intellectual property in specific countries such as China, Korea and Mexico. For questions regarding patent enforcement issues, applicants may call the U.S. Government hotline at 1-866-999-HALT (1-866-999-4258).

LICENSE FOR FOREIGN FILING UNDER

Title 35, United States Code, Section 184

Title 37, Code of Federal Regulations, 5.11 & 5.15

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This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Bureau of Industry and Security, Department of Commerce (15 CFR parts 730-774); the Office of Foreign AssetsControl, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

NOT GRANTED

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).

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Case 2:20-cv-06082-GRB-ST Document 69-3 Filed 06/21/22 Page 157 of 363 PageID #:

UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE United States Patent and Trademark Office Address: COMMISSIONER FOR PATENTS P.O. Box 1450 Alexandria, Virginia 22313-1450 www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
14/698,673	04/28/2015	Roger Ignon	EDGE.005C2	7926
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2040 MAIN ST FOURTEENTH	REET	AK DEA	KNAUSS, CI	HRISTIAN D
IRVINE, CA 92			ART UNIT	PAPER NUMBER
			3734	
			NOTIFICATION DATE	DEL HIEDWINODE
			NOTIFICATION DATE	DELIVERY MODE
			08/05/2015	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

jayna.cartee@knobbe.com efiling@knobbe.com

Case 2:20-cv-06082-GRB-ST Document	69-3 Filed 06/21/22 Pag	e 158 of 30	63 PageID #
	Application No. 14/698,673	Applicant(s	s)
Office Action Summary	Examiner CHRISTIAN KNAUSS	Art Unit 3734	AIA (First Inventor to File) Status No
The MAILING DATE of this communication app Period for Reply	ears on the cover sheet with the c	corresponder	ice address
A SHORTENED STATUTORY PERIOD FOR REPLY THIS COMMUNICATION. - Extensions of time may be available under the provisions of 37 CFR 1.13 after SIX (6) MONTHS from the mailing date of this communication. - If NO period for reply is specified above, the maximum statutory period w - Failure to reply within the set or extended period for reply will, by statute, Any reply received by the Office later than three months after the mailing earned patent term adjustment. See 37 CFR 1.704(b).	36(a). In no event, however, may a reply be tin vill apply and will expire SIX (6) MONTHS from cause the application to become ABANDONE	nely filed the mailing date of D (35 U.S.C. § 13	of this communication. 33).
Status			
1) Responsive to communication(s) filed on 5/1/1s A declaration(s)/affidavit(s) under 37 CFR 1.1s			
, 	action is non-final.		
3) An election was made by the applicant in response; the restriction requirement and election	·		ng the interview on
4) Since this application is in condition for allowan closed in accordance with the practice under E	nce except for formal matters, pro	secution as	
Disposition of Claims*			
5) Claim(s) 2-21 is/are pending in the application. 5a) Of the above claim(s) is/are withdraw 6) Claim(s) is/are allowed. 7) Claim(s) 2-21 is/are rejected. 8) Claim(s) is/are objected to. 9) Claim(s) are subject to restriction and/or are subject to restriction and/or the fany claims have been determined allowable, you may be elimparticipating intellectual property office for the corresponding aphttp://www.uspto.gov/patents/init_events/pph/index.jsp or send Application Papers 10) The specification is objected to by the Examiner and the drawing(s) filed on 4/28/15 is/are: a) according to the drawing(s) filed on 4/28/15 is/are: a)	vn from consideration. r election requirement. gible to benefit from the Patent Propolication. For more information, plea an inquiry to PPHfeedback@uspto.c	ase see gov.	h way program at a
Applicant may not request that any objection to the one of the correction of the cor			
Priority under 35 U.S.C. § 119 12) Acknowledgment is made of a claim for foreign Certified copies: a) All b) Some** c) None of the: 1. Certified copies of the priority document 2. Certified copies of the priority document 3. Copies of the certified copies of the priority document application from the International Bureau ** See the attached detailed Office action for a list of the certified	priority under 35 U.S.C. § 119(a) as have been received. It is have been received in Application of the process of the process of the priority documents have been received (PCT Rule 17.2(a)).)-(d) or (f). tion N o	
Attachment/o			
Attachment(s) 1) X Notice of References Cited (PTO-892)	3) Interview Summary	(PTO-413)	
2) Information Disclosure Statement(s) (PTO/SB/08a and/or PTO/S Paper No(s)/Mail Date	Daman Na/a\/Mail D		

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DETAILED ACTION

Notice of Pre-AIA or AIA Status

1. The present application is being examined under the pre-AIA first to invent provisions.

Specification

2. The lengthy specification has not been checked to the extent necessary to determine the presence of all possible minor errors. Applicant's cooperation is requested in correcting any errors of which applicant may become aware in the specification.

Claim Objections

- 3. Claim 11 is objected to because of the following informalities: in line 2, "the handpiece" should read --the handpiece assembly--. Appropriate correction is required.
- 4. Claim 20 is objected to because of the following informalities: in line 2, "the handpiece" should read --the handpiece assembly--. Appropriate correction is required.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of pre-AIA 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

- (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.
- 6. Claims 2, 3, 7-9, 11, 12, 14-16, and 20 rejected under pre-AlA 35 U.S.C. 102(b) as being anticipated by Coleman et al. (US 2001/0049511 A1) ("Coleman").

Page 3

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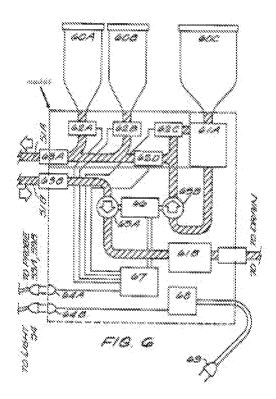
Art Unit: 3734

Regarding claim 2, Coleman discloses (Figures 4-6) a system for performing a skin treatment procedure, the system comprising: a console (Figure 6) including a manifold (see Figure 6 below), the manifold being in fluid communication with at least one fluid container (60C), the at least one fluid container capable of containing a treatment material for a skin treatment procedure; a handpiece assembly (Figures 5A and 5B) comprising a tip, the tip capable of contacting a skin surface of a subject; a supply conduit (51A) placing the manifold of the console in fluid communication with the handpiece assembly, wherein a distal end of the supply conduit is configured to couple to the handpiece assembly; wherein the manifold is capable of controlling a flow of treatment material from the at least one fluid container through the supply conduit; and a waste conduit (51B) in fluid communication with the tip of the handpiece assembly to remove waste away from a skin surface of a subject during a skin treatment procedure, wherein the waste conduit is operatively coupled to a vacuum source (64A).

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Regarding claim 3, Coleman discloses (Figures 5A and 5B) that the system further comprises a user input device (59A, 59B), wherein the user input device is capable of receiving instructions regarding the treatment material to be passed through the supply conduit to the handpiece assembly.

Regarding claim 7, Coleman discloses (Figure 6) that the at least one fluid container comprises at least two fluid containers (60B and 60C).

Regarding claim 8, Coleman discloses (Figure 6) that the at least one fluid container comprises at least four containers (60A, 60B, 60C, 61A).

Regarding claim 9, Coleman discloses that treatment materials from the at least two fluid containers are delivered to the supply conduit simultaneously (paragraph 0060).

capable of exfoliating skin tissue as the handpiece is moved relative to a skin surface of

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Regarding claim 11, Coleman discloses that the tip of the handpiece assembly is

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a subject (paragraphs 0009-0010).

Regarding claim 12, Coleman discloses (Figures 5A and 5B) that each of the supply conduit (51A) and the waste conduit (51B) connects to a corresponding connector along a proximal end of the handpiece assembly.

Regarding claim 14, Coleman discloses (Figures 4-6) a system for performing a skin treatment procedure, the system comprising: a manifold (see Figure 6 above) in fluid communication with at least one fluid container (60C), the at least one fluid container capable of containing a treatment material; a handpiece assembly (Figures 5A and 5B) comprising a tip, the tip capable of contacting a skin surface of a subject; and a supply conduit (51A) placing the manifold in fluid communication with the handpiece assembly, wherein a distal end of the supply conduit is capable of securing to the handpiece assembly; wherein the manifold is capable of controlling a flow of treatment material from the at least one fluid container through the supply conduit.

Regarding claim 15, Coleman discloses (Figure 6) a waste conduit (51B) in fluid communication with the handpiece assembly capable of removing waste from a skin surface of a subject during a procedure, wherein the waste conduit is operatively couple to a vacuum source (65A).

Regarding claim 16, Coleman discloses (Figures 5A and 5B) a user input device (59A and 59B) for selecting a treatment material to be passed through the supply conduit to the handpiece assembly.

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Regarding claim 20, Coleman discloses that the tip of the handpiece is capable of exfoliating skin tissue as the handpiece is moved relative to a skin surface of a subject (paragraphs 0009-0010).

7. Claims 2, 4, 6, 10, 14, 17, and 19 are rejected under pre-AIA 35 U.S.C. 102(b) as being anticipated by Greenberg (US 2003/0093089 A1).

Regarding claim 2, Greenberg discloses (Figures 1 and 2) a system for performing a skin treatment procedure, the system comprising: a console (10) including a manifold (44), the manifold being in fluid communication with at least one fluid container (18), the at least one fluid container capable of containing a treatment material for a skin treatment procedure; a handpiece assembly (16) comprising a tip, the tip capable of contacting a skin surface of a subject; a supply conduit (20) placing the manifold of the console in fluid communication with the handpiece assembly, wherein a distal end of the supply conduit is capable of coupling to the handpiece assembly; wherein the manifold is capable of controlling a flow of treatment material from the at least one fluid container through the supply conduit; and a waste conduit (20) in fluid communication with the tip of the handpiece assembly to remove waste away from a skin surface of a subject during a skin treatment procedure, wherein the waste conduit is operatively coupled to a vacuum source (12).

Regarding claim 4, Greenberg discloses (Figure 1) that the console comprises a display (front surface of console containing 52, 66), wherein the display comprises a

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user input device (30, 32, 42, 48, 50) capable of facilitate controlling a flow of treatment materials from the at least one fluid container to the handpiece assembly.

Regarding claim 6, Greenberg discloses (Figure 2) that the at least one fluid container (18) is releasably coupled to the manifold (42).

Regarding claim 10, the console disclosed by Coleman is capable of being moved.

Regarding claim 14, Greenberg discloses (Figures 1 and 2) a system for performing a skin treatment procedure, the system comprising: a manifold (42) in fluid communication with at least one fluid container (14), the at least one fluid container capable of containing a treatment material; a handpiece assembly (16) comprising a tip, the tip capable of contacting a skin surface of a subject; and a supply conduit (20) placing the manifold in fluid communication with the handpiece assembly, wherein a distal end of the supply conduit is capable of securing to the handpiece assembly; wherein the manifold is capable of controlling a flow of treatment material from the at least one fluid container through the supply conduit.

Regarding claim 17, Greenberg discloses (Figure 1) that the console comprises a display (front surface of console containing 52, 66), wherein the display comprises a user input device (30, 32, 42, 48, 50) capable of facilitate controlling a flow of treatment materials from the at least one fluid container to the handpiece assembly.

Regarding claim 19, Greenberg discloses (Figure 2) that the at least one fluid container (18) is releasably coupled to the manifold (42).

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Claim Rejections - 35 USC § 103

8. The following is a quotation of pre-AIA 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

9. Claims 5 and 18 are rejected under pre-AIA 35 U.S.C. 103(a) as being unpatentable over Greenberg (US 2003/0093089 A1) in view of Duchon et al. (US 2003/0018252 A1) ("Duchon").

Regarding claims 5 and 18, Greenberg discloses the invention substantially as claimed. However, Greenberg fails to disclose that the user input device comprises a touch screen.

Duchon teaches that it was well-known in the art at the time the invention was made for a console to include a touch screen user input (432). Duchon teaches that a touch screen is an equivalent structure to a selector dial, keypad, button, etc. that can be used by a user for console input.

It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the user input device disclosed by Greenberg to be a touch screen user input because Duchon teaches that a touch screen is an equivalent structure to a input knob, button, keypad, dial, etc. that is known in the art for entering input into a console system.

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10. Claims 13 and 21 rejected under pre-AIA 35 U.S.C. 103(a) as being unpatentable over Coleman et al. (US 2001/0049511 A1) ("Coleman") in view of Nelson et al. (US 3,865,352) ("Nelson").

Regarding claims 13 and 21, Coleman discloses the invention substantially as claimed. However, Coleman fails to disclose that the manifold of the console is configured to be placed in fluid communication with a container comprising an antimicrobial fluid, or other disinfecting agent for periodic flushing of the manifold.

Nelson teaches a device for mixing and dispensing materials, comprising: a manifold (25), the manifold in fluid communication with at least one fluid container (15, 16, 38), the at least one fluid container being configured to contain a fluid material; a handpiece assembly (10); the manifold and the handpiece assembly in fluid communication. Nelson further teaches that the manifold of the console is in fluid communication with a container (38) comprising a solvent for periodic flushing and cleaning of the manifold.

It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the manifold to be placed in fluid communication with a container comprising a solvent for periodic flushing of the manifold, as taught by Nelson. This modification would clean the manifold and supply conduit of the materials from the at least one fluid container (Column 2, lines 18-22).

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Conclusion

- 11. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure: Muldner (US 6,277,128 B1) (Figures 7 and 10), Rosso (US 6,432,114 B1) (Figures 1-3), Karasiuk (US 6,695,853 B2) (Figure 5), Chang (US 7,232,444 B2) (Figures 1-5), Goble et al. (US 2006/0116674 A1) (Figures 1-3).
- 12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Christian Knauss whose telephone number is (571)272-8641. The examiner can normally be reached on M-F 8 am–5 pm.

If attempts to reach the examiner by telephone are unsuccessful, *please contact* the examiner's supervisor, Darwin Erezo, *at* (571) 272-4695. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

If there are any inquiries that are not being addressed by first contacting the Examiner or the Supervisor, you may send an email inquiry to TC3700_Workgroup_D_Inquiries@uspto.gov.

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Art Unit: 3734

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/C. K./ Examiner, Art Unit 3734

/KATHERINE RODJOM/
Primary Examiner, Art Unit 3734

Notice of References Cited	Application/Control No. Applicant(s)/Patent Under Reexamination IGNON ET AL.		nt Under
Notice of helefelices Cited	Examiner	Art Unit	
	CHRISTIAN KNAUSS	3734	Page 1 of 1

U.S. PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	Classification
*	Α	US-3,865,352	02-1975	Nelson et al.	366/336
*	В	US-2003/0093089	05-2003	Greenberg, Ronald Allan	606/131
*	С	US-2003/0018252	01-2003	Duchon et al.	600/432
*	D	US-2001/0049511	12-2001	COLEMAN et al.	604/290
*	Е	US-6,277,128	08-2001	Muldner, J. Scott	606/133
*	F	US-6,432,114	08-2002	Rosso, Luciano	606/131
*	G	US-6,695,853	02-2004	Karasiuk, Kenneth B.	606/131
*	Н	US-2006/0116674	06-2006	Goble et al.	606/041
*	I	US-7,232,444	06-2007	Chang, Mei Yin	606/131
*	J	US-2006/0116674	06-2006	Goble et al.	606/041
	К	US-			
	L	US-			
	М	US-			

FOREIGN PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Country	Name	Classification
	N					
	0					
	Р					
	Q					
	R					
	s					
	Т					

NON-PATENT DOCUMENTS

*		Include as applicable: Author, Title Date, Publisher, Edition or Volume, Pertinent Pages)				
	U					
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*A copy of this reference is not being furnished with this Office action. (See MPEP § 707.05(a).) Dates in MM-YYYY format are publication dates. Classifications may be US or foreign.

Receipt date: 06/22/2015 Document 69-3 Filed 06/21/22 Page 170 of 363 PageID #: 4663 T4698673 GAU: 3734

PTO/SB/08	Equivalent

	Application No.	14/698,673
INFORMATION DISCLOSURE	Filing Date	April 28, 2015
STATEMENT BY APPLICANT	First Named Inventor	Ignon et al.
STATEMENT OF APPLICANT	Art Unit	Unknown
(Multiple sheets used when necessary)	Examiner	Unknown
SHEET 1 OF 13	Attorney Docket No.	EDGE.005C2

	U.S. PATENT DOCUMENTS					
Examiner Initials	Cite No.	Document Number Number - Kind Code (if known) Example: 1,234,567 B1	Publication Date MM-DD-YYYY	Name of Patentee or Applicant	Pages, Columns, Lines Where Relevant Passages or Relevant Figures Appear	
	1	2,608,032	08-26-1952	Garver		
	2	2,701,559	02-05-1955	Cooper		
	3	2,712,823	07-12-1955	Kurtin		
	4	2,867,214	01-06-1959	Wilson		
	5	2,881,763	04-14-1959	Robbins		
	6	2,921,585	01-19-1960	Schumann		
	7	3,085,573	04-16-1963	Meyer et al.		
	8	3,214,869	11-02-1965	Stryker		
	9	3,476,112	11-04-1969	Elstein		
	10	3,574,239	04-13-1971	Sollerud		
	11	3,715,838	02-13-1973	Young et al.		
	12	3,948,265	04-06-1976	Al Ami		
	13	3,964,212	06-22-1976	Karden		
	14	3,977,084	08-31-1976	Sloan		
	15	4,121,388	10-24-1978	Wilson		
	16	4,155,721	05-22-1979	Fletcher		
	17	4,182,329	01-08-1980	Smith et al.		
	18	4,203,431	05-20-1980	Abura et al.		
	19	4,216,233	08-05-1980	Stein		
	20	4,299,219	11-10-1981	Norris, Jr.		
	21	4,378,804	04-05-1983	Cortese		
	22	4,560,373	12-24-1985	Sugino et al.		
	23	4,646,480	03-03-1987	Williams		
	24	4,646,482	03-03-1987	Chitjian		
	25	4,655,743	04-07-1987	Hyde		
	26	4,676,749	06-30-1987	Mabille		
	27	4,706,676	11-17-1987	Peck		
	28	4,754,756	07-05-1988	Shelanski		
	29	4,757,814	07-19-1988	Wang et al.		

Examiner Signature	/Christian Knauss/	Date Considered	07/23/2015
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^{*}Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

T¹ - Place a check mark in this area when an English language Translation is attached.

Receipt date: 06/22/2015 Document 69-3 Filed 06/21/22 Page 171 of 363 Page ID #: 3734

		1 10,00,00 2941,41011
	Application No.	14/698,673
INFORMATION DISCLOSURE	Filing Date	April 28, 2015
STATEMENT BY APPLICANT	First Named Inventor	Ignon et al.
STATEMENT BY APPLICANT	Art Unit	Unknown
(Multiple sheets used when necessary)	Examiner	Unknown
SHEET 2 OF 13	Attorney Docket No.	EDGE.005C2

U.S. PATENT DOCUMENTS					
Examiner Initials	Cite No.	Document Number Number - Kind Code (if known) Example: 1,234,567 B1	Publication Date MM-DD-YYYY	Name of Patentee or Applicant	Pages, Columns, Lines Where Relevant Passages or Relevant Figures Appear
	30	4,764,362	08-16-1988	Barchas	
	31	4,795,421	01-03-1989	Blasius, Jr., et al.	
	32	4,875,287	10-24-1989	Creasy et al.	
	33	4,886,078	12-12-1989	Shiffman	
	34	4,887,994	12-12-1989	Shiffmann	
	35	4,900,316	02-13-1990	Yamamoto	
	36	4,917,086	04-17-1990	Feltovich et al.	
	37	4,925,450	05-15-1990	lmonti et al.	
	38	4,957,747	09-18-1990	Stiefel	
	39	5,006,004	04-09-1991	Dirksing et al.	
	40	5,006,339	04-09-1991	Bargery et al.	
	41	5,012,797	05-07-1991	Liang et al.	
	42	5,035,089	07-30-1991	Tillman et al.	
	43	5,037,431	08-06-1991	Summers et al.	
	44	5,037,432	08-06-1991	Molinari	
	45	5,100,412	03-31-1992	Rosso	
	46	5,100,424	03-31-1992	 Jang	
	47	5,119,839	06-09-1992	Rudolph	
	48	5,122,153	06-16-1992	Harrel	
	49	5,207,234	05-04-1993	Rosso	
	50	5,222,956	06-29-1993	Waldron	
	51	5,242,433	09-07-1993	Smith et al.	
	52	5,254,109	10-19-1993	Smith et al.	
	53	5,368,581	11-29-1994	Smith et al.	
	54	5,391,151	02-21-1995	Wilmot	
	55	5,417,674	05-23-1995	Smith et al.	
	56	5,419,772	05-30-1995	Teitz et al.	
	57	5,460,620	10-24-1995	Smith et al.	
	58	5,470,323	11-28-1995	Smith et al.	

Examiner Signature	/Christian Knauss/	Date Considered	07/23/2015	
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^{*}Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

T¹ - Place a check mark in this area when an English language Translation is attached.

Receipt date: 06/22/2015 Document 69-3 Filed 06/21/22 Page 172 of 363 PageID #: 4665 14698673 GAU: 3734

PTO/SB/08 Equivalen

	Application No.	14/698,673
INFORMATION DISCLOSURE	Filing Date	April 28, 2015
STATEMENT BY APPLICANT	First Named Inventor	Ignon et al.
STATEMENT BY AFFEIGANT	Art Unit	Unknown
(Multiple sheets used when necessary)	Examiner	Unknown
SHEET 3 OF 13	Attorney Docket No.	EDGE.005C2

	U.S. PATENT DOCUMENTS					
Examiner Initials	Cite No.	Document Number Number - Kind Code (if known) Example: 1,234,567 B1	Publication Date MM-DD-YYYY	Name of Patentee or Applicant	Pages, Columns, Lines Where Relevant Passages or Relevant Figures Appear	
	59	5,484,427	01-16-1996	Gibbons		
	60	5,562,642	10-08-1996	Smith et al.		
	61	5,611,687	03-18-1997	Wagner		
	62	5,612,797	03-18-1997	Liang et al.		
	63	5,674,235	10-07-1997	Parisi		
	64	5,676,643	10-14-1997	Cann et al.		
	65	5,676,648	10-14-1997	Henley		
	66	5,683,971	11-04-1997	Rose et al.		
	67	5,707,383	01-13-1998	Bays		
	68	5,713,785	02-03-1998	Nishio		
	69	5,759,185	06-02-1998	Grinberg		
	70	5,779,519	07-14-1998	Oliver		
	71	5,800,446	09-01-1998	Banuchi		
	72	5,807,353	09-15-1998	Schmitz		
	73	5,810,842	09-22-1998	Di Fiore at al.		
	74	5,813,416	09-29-1998	Rudolph		
	75	5,817,050	10-06-1998	Klein		
	76	5,846,215	12-08-1998	Zygmont		
	77	5,848,998	12-15-1998	Marasco, Jr.		
	78	5,861,142	01-19-1999	Schick		
	79	5,873,881	02-23-1999	McEwen et al.		
	80	5,879,323	03-09-1999	Henley		
	81	5,882,201	03-16-1999	Salem		
	82	5,885,260	03-23-1999	Mehl, Sr., et al.		
	83	5,908,401	06-01-1999	Henley		
	84	5,919,152	07-06-1999	Zygmont		
	85	5,954,730	09-21-1999	Bernabei		
	86	5,971,999	10-26-1999	Naldoni		
	87	5,980,555	11-09-1999	Barbut et al.		

Examiner Signature	/Christian Knauss/	Date Considered 07/23/2015	
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^{*}Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Receipt date: 06/22/2015 Document 69-3 Filed 06/21/22 Page 173 of 363 PageID #: 4666 14698673 GAU: 3734

	Application No.	14/698,673
INFORMATION DISCLOSURE	Filing Date	April 28, 2015
STATEMENT BY APPLICANT	First Named Inventor	Ignon et al.
STATEMENT DI AFFEIGANT	Art Unit	Unknown
(Multiple sheets used when necessary)	Examiner	Unknown
SHEET 4 OF 13	Attorney Docket No.	EDGE.005C2

	U.S. PATENT DOCUMENTS					
Examiner Initials	Cite No.	Document Number Number - Kind Code (if known) Example: 1,234,567 B1	Publication Date MM-DD-YYYY	Name of Patentee or Applicant	Pages, Columns, Lines Where Relevant Passages or Relevant Figures Appear	
	88	6,019,749	02-01-2000	Fields et al.		
	89	6,024,733	02-15-2000	Eggers et al.		
	90	6,027,402	02-22-2000	Oliver		
	91	6,039,745	03-21-2000	Di Fiore et al.		
	92	6,042,552	03-28-2000	Cornier		
	93	6,080,165	06-27-2000	DeJacma		
	94	6,080,166	06-27-2000	McEwen et al.		
	95	6,090,085	07-18-2000	Mehl, Sr. Et al.		
	96	6,120,512	09-19-2000	Bernabei		
	97	6,136,008	10-24-2000	Becker et al.		
	98	6,139,553	10-31-2000	Dotan		
	99	6,139,554	10-31-2000	Karkar et al.		
	100	6,142,155	11-07-2000	Rudolph		
	101	6,149,634	11-21-2000	Bernabei		
	102	6,159,226	12-12-2000	Kim		
	103	6,162,232	12-19-2000	Shadduck		
	104	6,183,451	02-06-2001	Mehl, Sr., et al.		
	105	6,183,483	02-06-2001	Chang		
	106	6,231,593	05-15-2001	Meserol		
	107	6,238,275	05-29-2001	Metcalf et al.		
	108	6,241,739	06-05-2001	Waldron		
	109	6,264,666	07-24-2001	Coleman et al.		
	110	6,277,128	08-21-2001	Muldner		
	111	6,283,978	09-04-2001	Cheski et al.		
	112	6,299,620	10-09-2001	Shadduck		
	113	6,306,119	10-23-2001	Weber et al.		
	114	6,306,147	10-23-2001	Bernabei et al.		
	115	6,322,568	11-27-2001	Bernabei et al.		
	116	6,368,333	04-09-2002	Bernabei et al.		

Examiner Signature	/Christian Knauss/	Date Considered 07/23/2015	
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T¹ - Place a check mark in this area when an English language Translation is attached.

Receipt date: 06/22/2015 Document 69-3 Filed 06/21/22 Page 174 of 363 Page ID #: 3734

		1 10,00,00 2941,41011
	Application No.	14/698,673
INFORMATION DISCLOSURE	Filing Date	April 28, 2015
STATEMENT BY APPLICANT	First Named Inventor	Ignon et al.
STATEMENT BY AFFEIGANT	Art Unit	Unknown
(Multiple sheets used when necessary)	Examiner	Unknown
SHEET 5 OF 13	Attorney Docket No.	EDGE.005C2

	U.S. PATENT DOCUMENTS					
Examiner Initials	Cite No.	Document Number Number - Kind Code (if known) Example: 1,234,567 B1	Publication Date MM-DD-YYYY	Name of Patentee or Applicant	Pages, Columns, Lines Where Relevant Passages or Relevant Figures Appear	
	117	6,387,103	05-14-2002	Shadduck		
	118	6,409,736	06-25-2002	Bernabei		
	119	6,410,599	06-25-2002	Johnson		
	120	6,414,032	07-02-2002	Johnson		
	121	6,420,431	07-16-2002	Johnson		
	122	6,423,078	07-23-2002	Bays et al.		
	123	6,423,750	07-23-2002	Johnson		
	124	RE 37,796	07-23-2002	Henley		
	125	6,432,113	08-13-2002	Parkin et al.		
	126	6,471,712	10-29-2002	Burres		
	127	6,477,410	11-05-2002	Henley et al.		
	128	6,482,212	11-19-2002	Bernabei et al.		
	129	6,488,646	12-03-2002	Zygmont		
	130	6,494,856	12-17-2002	Zygmont		
	131	6,500,183	12-31-2002	Waldron		
	132	6,503,256	01-07-2003	Parkin et al.		
	133	6,511,486	01-28-2003	Mercier et al.		
	134	6,514,262	02-04-2003	Di Fiore, et al.		
	135	6,527,783	03-04-2003	lgnon		
	136	6,535,761	03-18-2003	Bernabei		
	137	6,540,757	04-01-2003	Hruska et al.		
	138	6,562,013	05-13-2003	Marasco, Jr.		
	139	6,562,050	05-13-2003	Owen		
	140	6,564,093	05-13-2003	Ostrow et al.		
	141	6,565,535	05-20-2003	Zaias et al.		
	142	6,582,442	06-24-2003	Simon et al.		
	143	6,592,595	07-15-2003	Mallett et al.		
	144	6,629,983	10-07-2003	lgnon		
	145	6,641,591	11-04-2003	Shadduck		

Examiner Signature	/Christian Knauss/	Date Considered	07/23/2015	
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^{*}Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

T¹ - Place a check mark in this area when an English language Translation is attached.

Receipt date: 06/22/2015 Document 69-3 Filed 06/21/22 Page 175 of 363 PageID #: 3734

		1 10/0B/00 Equivalent
	Application No.	14/698,673
INFORMATION DISCLOSURE	Filing Date	April 28, 2015
STATEMENT BY APPLICANT	First Named Inventor	Ignon et al.
STATEMENT BY AFFEIGANT	Art Unit	Unknown
(Multiple sheets used when necessary)	Examiner	Unknown
SHEET 6 OF 13	Attorney Docket No.	EDGE.005C2

	U.S. PATENT DOCUMENTS					
Examiner Initials	Cite No.	Document Number Number - Kind Code (if known) Example: 1,234,567 B1	Publication Date MM-DD-YYYY	Name of Patentee or Applicant	Pages, Columns, Lines Where Relevant Passages or Relevant Figures Appear	
	146	6,645,184	11-11-2003	Zelickson et al.		
	147	6,652,888	11-25-2003	Rhoades		
	148	6,673,081	01-06-2004	Tavger et al.		
	149	6,673,082	01-06-2004	Mallett et al.		
	150	6,685,853	02-03-2004	Angelopoulous et al.		
	151	6,687,537	02-03-2004	Bernabei		
	152	6,695,853	02-24-2004	Karasiuk		
	153	6,735,470	05-11-2004	Henley et al.		
	154	6,743,215	06-01-2004	Bernabei		
	155	6,764,493	07-20-2004	Weber et al.		
	156	6,869,611	03-22-2005	Kligman et al.		
	157	6,905,487	06-14-2005	Zimmerman		
	158	6,911,031	06-28-2005	Muldner		
	159	6,924,649	08-02-2005	Knoedgen		
	160	6,926,681	08-09-2005	Ramey, et al.		
	161	6,942,649	09-13-2005	Ignon et al.		
	162	7,001,355	02-21-2006	Nunomura et al.		
	163	7,004,933	02-28-2006	McCaniel		
	164	7,044,938	05-16-2006	La Bianco et al.		
	165	7,052,503	05-30-2006	Bernabei		
	166	7,069,073	06-27-2006	Henley et al.		
	167	7,070,488	07-04-2006	Suissa et al.		
	168	7083,580	08-01-2006	Bernabei		
	169	7,087,063	08-08-2006	Carson et al.		
	170	7,094,252	08-22-2006	Коор		
	171	7,115,275	10-03-2006	Clarot et al.		
	172	7,135,011	11-14-2006	Powers et al.		
	173	7,153,311	12-26-2006	Chung		
	174	7,197,359	03-27-2007	Tokudome et al.		

Examiner Signature	/Christian Knauss/	Date Considered 07/2	23/2015
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T¹ - Place a check mark in this area when an English language Translation is attached.

Receipt date: 06/22/2015 Document 69-3 Filed 06/21/22 Page 176 of 363 Page D#: 3734 PTO/SB/08 Equivalent

	Application No.	14/698,673
INFORMATION DISCLOSURE	Filing Date	April 28, 2015
STATEMENT BY APPLICANT	First Named Inventor	Ignon et al.
STATEMENT BY AFFEIGANT	Art Unit	Unknown
(Multiple sheets used when necessary)	Examiner	Unknown
SHEET 7 OF 13	Attorney Docket No.	EDGE.005C2

	U.S. PATENT DOCUMENTS					
Examiner Initials	Cite No.	Document Number Number - Kind Code (if known) Example: 1,234,567 B1	Publication Date MM-DD-YYYY	Name of Patentee or Applicant	Pages, Columns, Lines Where Relevant Passages or Relevant Figures Appear	
	175	7,198,623	04-03-2007	Fischer et al.		
	176	7,241,208	07-10-2007	Suissa et al.		
	177	7,276,051	10-02-2007	Henley et al.		
	178	7,314,326	01-01-2008	Rosenberg		
	179	7,316,657	01-08-2008	Kleinhenz et al.		
	180	7,318,828	01-15-2008	Revivo		
	181	7,320,691	01-22-2008	Pilcher et al.		
	182	7,320,801	01-22-2008	Kelly		
	183	7,354,423	04-08-2008	Zelickson et al.		
	184	7,364,565	04-29-2008	Freeman		
	185	7,384,405	06-10-2008	Rhoades		
	186	7,427,273	09-23-2008	Mitsui		
	187	7,458,944	12-02-2008	Liste et al.		
	188	7,476,205	01-13-2009	Erdmann		
	189	7,477,938	01-13-2009	Sun et al.		
	190	7,482,314	01-27-2009	Grimes et al.		
	191	7,489,989	02-10-2009	Sukhanov et al.		
	192	7,507,228	03-24-2009	Sun et al.		
	193	7,582,067	09-01-2009	Van Acker		
	194	7,597,900	10-06-2009	Zimmer et al.		
	195	7,597,901	10-06-2009	Clarot et al.		
	196	7,658,742	02-09-2010	Karasiuk		
	197	7,678,120	03-16-2010	Shadduck		
	198	7,744,582	06-29-2010	Sadowski et al.		
	199	7,789,886	09-07-2010	Shadduck		
	200	7,837,695	11-23-2010	Hart et al.		
	201	7,901,373	03-08-2011	Tavger		
	202	7,951,156	05-31-2011	Karasiuk		
	203	8,025,669	09-27-2011	David et al.		

Examiner Signature	/Christian Knauss/	Date Considered	07/23/2015	
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Receipt date: 06/22/2015 Document 69-3 Filed 06/21/22 Page 177 of 363 PageID #: 3734

PTO/SB/08 Equivalent

	Application No.	14/698,673
INFORMATION DISCLOSURE	Filing Date	April 28, 2015
STATEMENT BY APPLICANT	First Named Inventor	Ignon et al.
STATEMENT BY AFFEIGANT	Art Unit	Unknown
(Multiple sheets used when necessary)	Examiner	Unknown
SHEET 8 OF 13	Attorney Docket No.	EDGE.005C2

		Danimari N. J.	U.S. PATENT D	OOCUMENTS	Daniel Oakin III 1877
Examiner Initials	Cite No.	Document Number Number - Kind Code (if known) Example: 1,234,567 B1	Publication Date MM-DD-YYYY	Name of Patentee or Applicant	Pages, Columns, Lines Where Relevant Passages or Relevant Figures Appear
	204	8,048,089	11-01-2011	lgnon et al.	
	205	RE42960	11-22-2011	Waldron	
	206	8,066,716	11-29-2011	Shadduck	
	207	8,088,085	01-03-2012	Thiebaut et al.	
	208	8,128,638	03-06-2012	Karasiuk et al.	
	209	8,221,437	07-17-2012	Waldron et al.	
	210	8,236,008	08-07-2012	Boone, III et al.	
	211	8,277,287	10-02-2012	Hart	
	212	8,337,513	12-25-2012	Shadduck	
	213	8,343,116	01-01-2013	lgnon et al.	
	214	8,814,836	08-26-2014	lgnon et al.	
	215	2001/0023351	09-20-2001	Eilers	
	216	2001/0049511	12-06-2001	Coleman et al.	
	217	2002/0016601	02-07-2002	Shadduck	
	218	2002/0041891	04-11-2002	Cheski	
	219	2002/0058952	05-16-2002	Weber et al.	
	220	2002/0107527	08-08-2002	Burres	
	221	2002/0133110	09-19-2002	Citow	
	222	2002/0151826	10-17-2002	Ramey et al	
	223	2002/0188261	12-12-2002	Hruska	
	224	2003/0012415	01-16-2003	Cossel	
	225	2003/0060834	03-27-2003	Muldner	
	226	2003/0093040	05-15-2003	Mikszta et al.	
	227	2003/0093089	05-15-2003	Greenberg	
	228	2003/0097139	05-22-2003	Karasiuk	
	229	2003/0187462	10-14-2003	Chang	
	230	2003/0208159	11-06-2003	Ignon, et al.	
	231	2003/0212127	11-13-2003	Glassman et al.	
	232	2003/0212415	11-13-2003	Karasiuk	

Examiner Signature	/Christian Knauss/	Date Considered	07/23/2015	
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Receipt date: 06/22/2015 Document 69-3 Filed 06/21/22 Page 178 of 363 PageID #: 14698673 GAU: 3734

	Application No.	14/698,673
INFORMATION DISCLOSURE	Filing Date	April 28, 2015
STATEMENT BY APPLICANT	First Named Inventor	Ignon et al.
STATEMENT DI AFFEIGANT	Art Unit	Unknown
(Multiple sheets used when necessary)	Examiner	Unknown
SHEET 9 OF 13	Attorney Docket No.	EDGE.005C2

			U.S. PATENT D	OCUMENTS	
Examiner Initials	Cite No.	Document Number Number - Kind Code (if known) Example: 1,234,567 B1	Publication Date MM-DD-YYYY	Name of Patentee or Applicant	Pages, Columns, Lines Where Relevant Passages or Relevant Figures Appear
	233	2004/0010222	01-15-2004	Nunomura et al.	
	234	2004/0010269	01-15-2004	Grimes et al.	
	235	2004/0087972	05-06-2004	Mulholland, et al.	
	236	2004/0092895	05-13-2004	Harmon	
	237	2004/0097967	05-20-2004	lgnon	
	238	2004/0122447	06-24-2004	Harmon et al.	
	239	2004/0143274	07-22-2004	Shadduck	
	240	2004/0166172	08-26-2004	Rosati et al.	
	241	2004/0219179	11-04-2004	McDaniel	
	242	2004/0236291	11-25-2004	Zelickson et al.	
	243	2004/0243149	12-02-2004	Lee, John B. JR.	
	244	2004/0267285	12-30-2004	Chang	
	245	2005/0037034	02-17-2005	Rhoades	
	246	2005/0038448	02-17-2005	Chung	
	247	2005/0059940	03-17-2005	Weber et al.	
	248	2005/0084509	04-21-2005	Bernstein	
	249	2005/0148958	07-07-2005	Rucinski	
	250	2005/0203111	09-15-2005	David	
	251	2005/0209611	09-22-2005	Greenberg	
	252	2005/0283176	12-22-2005	Law	
	253	2006/0002960	01-05-2006	Zoeteweij et al.	
	254	2006/0191562	08-31-2006	Numomura	
	255	2006/0200099	09-07-2006	La Bianco et al.	
	256	2006/0200172	09-07-2006	Shadduck	
	257	2006/0200173	09-07-2006	Shadduck	
	258	2006/0212029	09-21-2006	Arcusa Villacampa et al.	
	259	2006/0253125	11-09-2006	lgnon	
	260	2006/0264893	11-23-2006	Sage, Jr. et al.	
	261	2007/0005078	01-04-2007	Hart et al.	

Examiner Signature	/Christian Knauss/	Date Considered	07/23/2015	
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Receipt date: 06/22/2015 Document 69-3 Filed 06/21/22 Page 179 of 363 PageID # 4672 PTO/SB/08 Equivalent

Application No.	14/698,673
Filing Date	April 28, 2015
First Named Inventor	Ignon et al.
Art Unit	Unknown
Examiner	Unknown

	Application No.	14/698,673
INFORMATION DISCLOSURE	Filing Date	April 28, 2015
STATEMENT BY APPLICANT	First Named Inventor	Ignon et al.
STATEMENT BY APPLICANT	Art Unit	Unknown
(Multiple sheets used when necessary)	Examiner	Unknown
SHEET 10 OF 13	Attorney Docket No.	EDGE.005C2

Examiner Initials	Cite No.	Document Number Number - Kind Code (if known) Example: 1,234,567 B1	Publication Date MM-DD-YYYY	Name of Patentee or Applicant	Pages, Columns, Lines Where Relevant Passages or Relevant Figures Appear
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	263	2007/0065515	03-22-2007	Key	
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	265	2007/0088371	04-19-2007	Karasiuk	
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	270	2007/0208353	09-06-2007	Shadduck	
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Examiner Signature	/Christian Knauss/	Date Considered	07/23/2015
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^{*}Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

T¹ - Place a check mark in this area when an English language Translation is attached.
ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /C.K./

Receipt date: 06/22/2015 Document 69-3 Filed 06/21/22 Page 180 of 363 PageID.#: 14698673 GAU: 3734

	Application No.	14/698,673
INFORMATION DISCLOSURE	Filing Date	April 28, 2015
STATEMENT BY APPLICANT	First Named Inventor	Ignon et al.
STATEMENT DI AFFEIGANT	Art Unit	Unknown
(Multiple sheets used when necessary)	Examiner	Unknown
SHEET 11 OF 13	Attorney Docket No.	EDGE.005C2

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Examiner Initials	Cite No.	Document Number Number - Kind Code (if known) Example: 1,234,567 B1	Publication Date MM-DD-YYYY	Name of Patentee or Applicant	Pages, Columns, Lines Where Relevant Passages or Relevant Figures Appear
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Examiner Initials	Cite No.	Foreign Patent Document Country Code-Number-Kind Code Example: JP 1234567 A1	Publication Date MM-DD-YYYY	Name of Patentee or Applicant	Pages, Columns, Lines Where Relevant Passages or Relevant Figures Appear	T¹		
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Examiner Signature /Christian Knauss/ Date Considered 07/23/2015

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T¹ - Place a check mark in this area when an English language Translation is attached.

Receipt date: 06/22/2015 Document 69-3 Filed 06/21/22 Page 181 of 363 Page ID #: 3734

		r 10/3B/00 Equivalent
	Application No.	14/698,673
INFORMATION DISCLOSURE	Filing Date	April 28, 2015
STATEMENT BY APPLICANT	First Named Inventor	Ignon et al.
STATEMENT BY AFFEIGANT	Art Unit	Unknown
(Multiple sheets used when necessary)	Examiner	Unknown
SHEET 12 OF 13	Attorney Docket No.	EDGE.005C2

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Examiner Initials	Cite No.	Foreign Patent Document Country Code-Number-Kind Code Example: JP 1234567 A1	Publication Date MM-DD-YYYY	Name of Patentee or Applicant	Pages, Columns, Lines Where Relevant Passages or Relevant Figures Appear	T ¹
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Examiner Signature /Christian Knauss/	Date Considered	07/23/2015
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Receipt date: 06/22/2015 Document 69-3 Filed 06/21/22 Page 182 of 363 PageID #: 14698673 GAU: 3734

		1 1 0/0B/00 Equivalent
	Application No.	14/698,673
INFORMATION DISCLOSURE	Filing Date	April 28, 2015
STATEMENT BY APPLICANT	First Named Inventor	Ignon et al.
STATEMENT BY AFFEIGANT	Art Unit	Unknown
(Multiple sheets used when necessary)	Examiner	Unknown
SHEET 13 OF 13	Attorney Docket No.	EDGE.005C2

		NON PATENT LITERATURE DOCUMENTS	
Examiner Initials	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ¹
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EAST Search History

EAST Search History (Prior Art)

Ref #	Hits	Search Query	DBs	Default Operator	Plurals	Time Stamp
S1	29	(roger near2 ignon).in.	US- PGPUB; USPAT		ON	2015/07/21 10:00
S2	101	(scott near2 mallett).in.	US- PGPUB; USPAT	OR	ON	2015/07/21 10:04
S3	3	(abraham near2 solano).in.	US- PGPUB; USPAT	OR	ON	2015/07/21 10:06
S4	100	(william near2 cohen).in.	US- PGPUB; USPAT	OR	ON	2015/07/21 10:07
S5	24	(edge near2 systems).as.	US- PGPUB; USPAT	OR	ON	2015/07/21 10:09
S6	310	US-1234567-\$.DID. OR US-2608032-\$.DID. OR US-2701559-\$.DID. OR US-2712823-\$.DID. OR US-2867214-\$.DID. OR US-2881763-\$.DID. OR US-2921585-\$.DID. OR US-3085573-\$.DID. OR US-3214869-\$.DID. OR US-3476112-\$.DID. OR US-3574239-\$.DID. OR US-3476112-\$.DID. OR US-3948265-\$.DID. OR US-3964212-\$.DID. OR US-3977084-\$.DID. OR US-4121388-\$.DID. OR US-4155721-\$.DID. OR US-4182329-\$.DID. OR US-4203431-\$.DID. OR US-4216233-\$.DID. OR US-4203431-\$.DID. OR US-4216233-\$.DID. OR US-4203431-\$.DID. OR US-4646482-\$.DID. OR US-4646480-\$.DID. OR US-4676749-\$.DID. OR US-4706676-\$.DID. OR US-4764362-\$.DID. OR US-4795421-\$.DID. OR US-4764362-\$.DID. OR US-4795421-\$.DID. OR US-4875287-\$.DID. OR US-4886078-\$.DID. OR US-4887994-\$.DID. OR US-4900316-\$.DID. OR US-4917086-\$.DID. OR US-4925450-\$.DID. OR US-4957747-\$.DID. OR US-5006004-\$.DID. OR US-5006339-\$.DID. OR US-5006004-\$.DID. OR US-5006339-\$.DID. OR US-5006004-\$.DID. OR US-5119839-\$.DID. OR US-5100412-\$.DID. OR US-5037432-\$.DID. OR US-5100412-\$.DID. OR US-5037432-\$.DID. OR US-5100412-\$.DID. OR US-5100424-\$.DID. OR US-5100412-\$.DID. OR US-5100424-\$.DID. OR US-5100412-\$.DID. OR US-5037432-\$.DID. OR US-5100412-\$.DID. OR US-5100424-\$.DID. OR US-5100412-\$.DID. OR US-5100424-\$.DID. OR US-5100412-\$.DID. OR US-5037432-\$.DID. OR US-5100412-\$.DID. OR US-5100424-\$.DID. OR US-5100412-\$.DID. OR US-5100424-\$.DID. OR US-5100412-\$.DID. OR US-5100424-\$.DID. OR US-5100412-\$.DID. OR US-5242433-\$.DID. OR US-5254109-\$.DID. OR US-5242433-\$.DID. OR US-5254109-\$.DID. OR US-5242433-\$.DID. OR US-5254109-\$.DID. OR US-5368581-\$.DID. OR US-5484427-\$.DID. OR US-5470323-\$.DID. OR US-5484427-\$.DID. OR US-5470323-\$.DID. OR US-5484427-\$.DID. OR US-5470323-\$.DID. OR US-5484427-\$.DID. OR US-55470323-\$.DID. OR US-5484427-\$.DID. OR US-5562642-\$.DID. OR US-5611687-\$.DID. OR US-5562642-\$.DID. OR US-5484427-\$.DID. OR US-	US- PGPUB; USPAT	OR	ON	2015/07/21 10:14

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S8	0	14/698,673	US- PGPUB; USPAT; EPO; JPO	OR	ON	2015/07/21 10:57
S9	484	(console and manifold and fluid and container and hand\$7 and (conduit tube) and vacuum)	US- PGPUB; USPAT; EPO; JPO	OR	ON	2015/07/21 11:04
S10	498	A61B17/54.cpc.	US- PGPUB; USPAT	OR	ON	2015/07/21 12:13
S11	136	A61B17/545.cpc.	US- PGPUB; USPAT	OR	ON	2015/07/21 12:29
S12	583	A61B19/0248.cpc.	US- PGPUB; USPAT	OR	ON	2015/07/21 12:43
S13	511	A61B2019/025.cpc.	US- PGPUB; USPAT	OR	ON	2015/07/21 12:50
S14	1159	A61B2017/00199.cpc.	US- PGPUB; USPAT	OR	ON	2015/07/21 12:59
S15	955	A61B2017/00017.cpc.	US- PGPUB;	OR	ON	2015/07/21 13:15

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		4683	USPAT			L agei
S16	2160	A61B2217/005.cpc.	US- PGPUB; USPAT	OR	ON	2015/07/21 13:21
S17	1269	A61B2217/007.cpc.	US- PGPUB; USPAT	OR	ON	2015/07/21 13:21
S18	38	("4183470" "5186625" "5240842" "5350299" "5362494" "5441174" "5547376" "5591184" "5634791" "5657760" "5752829" "Re31887").PN. OR ("6264666").URPN.	US- PGPUB; USPAT; USOCR	OR	ON	2015/07/21 16:03
S19	59	("1772545" "2109259" "2453080" "2547823" "2618410" "2711268" "2962193" "3217887" "3647118").PN. OR ("3930598").URPN.	US- PGPUB; USPAT; USOCR		ON	2015/07/22 08:38
S20	19	("3815286" "5037432" "5207234" "5971999").PN. OR ("6238275").URPN.	US- PGPUB; USPAT; USOCR		ON	2015/07/22 10:07
S21	51	("20010023351" "2701559" "2712823" "2867214" "2881763" "2921585" "3964212" "4378804" "4957747" "5012797" "5037431" "5037432" "5100412" "5207034" "5207234" "5620414" "5800446" "5810842" "5954730" "5971999" "6019749" "6039745" "6042552" "6080165" "6120512" "6238275" "6303119").PN. OR ("6527783").URPN.	US- PGPUB; USPAT; USOCR	OR	ON	2015/07/22 10:09
S22	32	("20010023351" "5037432" "5100412" "5207034" "5207234" "5620414" "5810842" "5954730" "5971999" "6019749" "6039745" "6080165" "6120512" "6139554" "6196982" "6235039" "6238275" "6241739" "6250996" "6277003" "6306119" "6390899").PN. OR ("6673082").URPN.	US- PGPUB; USPAT; USOCR	OR	ON	2015/07/22 10:09
S23	42	("20010023351" "4572187" "5037432" "5100412" "5154696" "5207234" "5354307" "5810842" "5954730" "5971999" "6019749" "6039745" "6080165" "6162232" "6196982" "6235039" "6241739" "6250996" "6299620" "6319211" "6391034" "6423078" "6432113" "6629983" "6652888").PN. OR ("6942649").URPN.	US- PGPUB; USPAT; USOCR		ON	2015/07/22 10:16
S24	38	("5037432" "5100412" "5810842" "5971999").PN. OR ("6080165").URPN.	US- PGPUB; USPAT; USOCR		ON	2015/07/22 10:17
\$25	43	("20010023351" "2701559" "2712823" "2867214" "2881763" "2921585" "3964212" "4378804" "4957747" "5012797" "5037431" "5037432" "5100412" "5154696" "5207234" "5800446" "5810842" "5954730" "5971999" "6019749" "6039745" "6042552" "6080165" "6196982" "6235039" "6241739" "6250996"	US- PGPUB; USPAT; USOCR	OR	ON	2015/07/22 10:21

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		"6319211").PN. OR ("6592595").UR#N84		L		
S26	32	("20010023351" "5037432" "5100412" "5207034" "5207234" "5620414" "5810842" "5954730" "5971999" "6019749" "6039745" "6080165" "6120512" "6139554" "6196982" "6235039" "6238275" "6241739" "6250996" "6277003" "6306119" "6390899").PN. OR ("6673082").URPN.	US- PGPUB; USPAT; USOCR	OR	ON	2015/07/22 10:21
S27	19	("3815286" "5037432" "5207234" "5971999").PN. OR ("6238275").URPN.	US- PGPUB; USPAT; USOCR	OR	ON	2015/07/22 10:37
S28	38	("4183470" "5186625" "5240842" "5350299" "5362494" "5441174" "5547376" "5591184" "5634791" "5657760" "5752829" "Re31887").PN. OR ("6264666").URPN.	US- PGPUB; USPAT; USOCR	OR	ON	2015/07/22 10:38
S29	38	("2608032" "2921585" "3574239" "3715838" "4375740" "4482322" "4560373" "4646480" "4671867" "4676749" "4757814" "4765099" "5037431" "5037432" "5100412" "5207234" "5309683" "5460604" "5547376" "5765759" "5810587" "5810842" "6039745").PN. OR ("6277128").URPN.	US- PGPUB; USPAT; USOCR	OR	ON	2015/07/22 10:39
S30	14	("3815286" "5037431" "6183148" "6193589" "6235039" "6238275" "6322568").PN. OR ("6503256").URPN.	US- PGPUB; USPAT; USOCR	,	ON	2015/07/22 10:41
S31	59	("1772545" "2109259" "2453080" "2547823" "2618410" "2711268" "2962193" "3217887" "3647118").PN. OR ("3930598").URPN.	US- PGPUB; USPAT; USOCR		ON	2015/07/22 10:44
S32	82	("0882532" "1882040" "1898652" "2228676" "2266931" "2338339" "2655146" "2701559" "2712823" "2867214" "2881763" "2921585" "3236231" "3736921" "3818904" "3841322" "3841323" "3964212" "4003373" "4241499" "4378804" "4560373" "4572187" "4646480" "4836192" "4957747" "5012797" "5037431" "5037432" "5100412" "5207234" "5377701" "5699810" "5800440" "5810842" "5954730" "5971999" "6039745" "6042552" "6080165" "6120512" "6139554" "6149634" "6196982" "6241739" "6283078" "6299620" "6319211" "6500183" "6511486").PN. OR ("6695853").URPN.	US- PGPUB; USPAT; USOCR	•	ON	2015/07/22 10:46
S33	107	("2608032" "2921585" "3085573" "3574239" "3715838" "4560373" "4646480" "4676749" "4757814").PN. OR ("5037432").URPN.	US- PGPUB; USPAT; USOCR		ON	2015/07/22 10:53
S34	33	("20030093089" "2701559" "2712823" "2867214" "2881763" "2921585" "3964312" "4378804" "5012797" "5037431" "5037432" "5100412"	US- PGPUB; USPAT; USOCR		ON	2015/07/22 10:55

USPAT: **USOCR**

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"20010023351" | "20030093089"

("20010023351" | "20030093089" |

OR ("D503979").URPN.

'20030212415" | "6250996" | "D450842").PN.

"20070156124" "4653474" "625 6⁶6 6	PGPUB;	10:	15
"7232444" "D192841" "D224070"	USPAT;		
"D249550" "D326920" "D475463"	USOCR		
"D489816" "D627876").PN. OR			
("D682414").URPN.			

EAST Search History (Interference)

< This search history is empty>

7/ 23/ 2015 10:37:47 AM C:\ Users\ cknauss\ Documents\ EAST\ Workspaces\ 14698673.wsp



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE United States Patent and Trademark Office Address: COMMISSIONER FOR PATENTS P.O. Box 1450 Alexandria, Virginia 22313-1450 www.uspto.gov

BIB DATA SHEET

CONFIRMATION NO. 7926

## FOREIGN APPLICATIONS ************************************	SERIAL NUM	BER	FILING OF			CLASS	GRO	OUP ART	UNIT	ATTO	ORNEY DOCKET NO.
APPLICANTS EDGE SYSTEMS LLC, Signal Hill, CA; INVENTORS Roger Ignon, Redondo Beach, CA; Scott Mallett, Coto De Caza, CA; Abraham Solano, Corona, CA; William Cohen, Los Alamitos, CA; ****CONTINUING DATA ****This application is a CON of 113/267,554 10/06/2011 which is a CON of 113/282/348 03/29/2006 PAT 8048089 which claims benefit of 60/755,310 12/30/2005 and claims benefit of 60/756,468 02/02/2006 ***FOREIGN APPLICATIONS ****TIF REQUIRED, FOREIGN FILING LICENSE GRANTED ***** SMALL ENTITY *** 05/07/2015 Foreign Priority claimed	14/698,67	3				606		3734		E	
EDGE SYSTEMS LLC, Signal Hill, CA; INVENTORS Roger Ignon, Redondo Beach, CA; Scott Mallett, Coto De Caza, CA; Abraham Solano, Corona, CA; William Cohen, Los Alamitos, CA; ***CONTINUING DATA** ***CONTINUING DATA** ***CONTINUING DATA** ***Tis application is a CON of 13/267,554 10/06/2011 which is a CON of 11/392,348 03/29/2006 PAT 8048089 which claims benefit of 60/755,310 12/30/2005 and claims benefit of 60/755,369 12/30/2005 and claims benefit of 60/755,310 12/30/2005 **FOREIGN APPLICATIONS** ***FOREIGN APPLICATIONS** ***IF REQUIRED, FOREIGN FILING LICENSE GRANTED *** SMALL ENTITY *** 05/07/2015 Foreign Priority claimed			RUL	E							
Roger Ignon, Redondo Beach, CA; Scott Mallett, Coto De Caza, CA; Abraham Solano, Corona, CA; William Cohen, Los Alamitos, CA; ****CONTINUING DATA**** This application is a CON of 13/267,554 10/06/2011 which is a CON of 11/392,348 03/29/2006 PAT 8048089 which claims benefit of 60/765,310 12/30/2005 and claims benefit of 60/764,668 02/02/2006 ***FOREIGN APPLICATIONS**** ****FOREIGN APPLICATIONS**** THECOUIRED, FOREIGN FILING LICENSE GRANTED **** SMALL ENTITY ** 05/07/2015 Foreign Priority claime* Yes No											
This application is a CON of 11/39/2,348 03/29/2006 PAT 8048089 which claims benefit of 60/755,310 12/30/2005 and claims benefit of 60/755,310 12/30/2006 **FOREIGN APPLICATIONS ************************************	Roger Ign Scott Mall Abraham William C	Roger Ignon, Redondo Beach, CA; Scott Mallett, Coto De Caza, CA; Abraham Solano, Corona, CA;									
** IF REQUIRED, FOREIGN FILING LICENSE GRANTED ** ** SMALL ENTITY ** 05/07/2015 Foreign Priority claimed	This appli whi whi	cation i ch is a ch clair	is a CON of 1 CON of 11/3 ms benefit of	3/267,554 92,348 03, 60/755,31	10/06 /29/200 0 12/3	/2011 06 PAT 8048089 0/2005					
Foreign Priority claimed	** FOREIGN AF	PPLICA	ATIONS *****	******	*****	* none /CK/					
35 USC 119(a-d) conditions met			REIGN FILING	LICENS	E GRA	NTED ** ** SMA	LL E	NTITY **			
Verified and KNAUSS/ Acknowledged Examiner's Signature ADDRESS KNOBBE MARTENS OLSON & BEAR LLP 2040 MAIN STREET FOURTEENTH FLOOR IRVINE, CA 92614 UNITED STATES TITLE CONSOLE SYSTEM FOR THE TREATMENT OF SKIN FEES: Authority has been given in Paper No	- · · · · · · · · · · · · · · · · · · ·		-	☐n Metaf	ter						
Acknowledged Examiner's Signature Initials ADDRESS KNOBBE MARTENS OLSON & BEAR LLP 2040 MAIN STREET FOURTEENTH FLOOR IRVINE, CA 92614 UNITED STATES TITLE CONSOLE SYSTEM FOR THE TREATMENT OF SKIN FEES: Authority has been given in Paper No to charge/credit DEPOSIT ACCOUNT No for following: All Fees 1.16 Fees (Filling) 1.17 Fees (Processing Ext. of time) 1.18 Fees (Issue) Other	Verified and /0	CHRISTIA		Allowa	ince		DKA				
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							☐ 1.18 F	ees (lss	sue)		
☐ Credit								☐ Other			
								☐ Credi	t		

	Application/Control No.	Applicant(s)/Patent Under Reexamination
Search Notes	14698673	IGNON ET AL.
	Examiner	Art Unit
	CHRISTIAN KNAUSS	3734

CPC- SEARCHED				
Symbol	Date	Examiner		
A61B17/54, 545	7/23/15	CDK		
A61B2017/00017, 00199, 00743, 00747, 00761	7/23/15	CDK		
A61B19/0248	7/23/15	CDK		
A61B2019/025	7/23/15	CDK		
A61B2217/005, 007	7/23/15	CDK		

CPC COMBINATION SETS - SEARC	CHED	
Symbol	Date	Examiner

	US CLASSIFICATION SEARCHE	ED .	
Class	Subclass	Date	Examiner

SEARCH NOTES					
Search Notes	Date	Examiner			
Performed inventor and assignee searches in PALM and EAST	7/23/15	CDK			
Performed EAST search (see attached EAST search history)	7/23/15	CDK			
Performed forward/backward searches in EAST	7/23/15	CDK			
Performed class/text searchs and combinations in EAST	7/23/15	CDK			

	INTERFERENCE SEARCH		
US Class/ CPC Symbol	US Subclass / CPC Group	Date	Examiner
•			

/C.K./ Examiner.Art Unit 3734	

U.S. Patent and Trademark Office Part of Paper No.: 20150722

Case 2:20-cv-06082-GRB-ST Document 69-3 Filed 06/21/22 Page 196 of 363 PageID #:

UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE United States Patent and Trademark Office Address: COMMISSIONER FOR PATENTS P.O. Box 1450 Alexandria, Virginia 22313-1450 www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
14/698,673	04/28/2015	Roger Ignon	EDGE.005C2	7926
	7590 08/07/201 RTENS OLSON & BE		EXAM	IINER
2040 MAIN ST FOURTEENTH	REET	AK DEA	KNAUSS, CI	HRISTIAN D
IRVINE, CA 92	2614		ART UNIT	PAPER NUMBER
			3734	
			NOTIFICATION DATE	DELIVERY MODE
			08/07/2015	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

jayna.cartee@knobbe.com efiling@knobbe.com

469	OApplication No.	Applicant(s)				
Applicant-Initiated Interview Summary	14/698,673	IGNON ET AL.				
Approant-initiated interview cuminary	Examiner	Art Unit				
	CHRISTIAN KNAUSS	3734				
All participants (applicant, applicant's representative, PTO	personnel):					
(1) <u>CHRISTIAN KNAUSS</u> .	(3) <i>KATHERINE RODJOM</i> .					
(2) <u>THEODORE PAPAGIANNIS</u> .	(4)					
Date of Interview: 30 July 2015.						
Type: ☐ Telephonic ☐ Video Conference ☐ Personal [copy given to: ☐ applicant [applicant's representative]					
Exhibit shown or demonstration conducted: Yes If Yes, brief description:	□ No.					
Issues Discussed ☐101 ☐112 ☐102 ☐103 ☑Othe (For each of the checked box(es) above, please describe below the issue and detail						
Claim(s) discussed:						
Identification of prior art discussed:						
Substance of Interview (For each issue discussed, provide a detailed description and indicate if agreement reference or a portion thereof, claim interpretation, proposed amendments, arguments.)		dentification or clarific	ation of a			
The Applicant's representative gave the Examiner an overv	riew of the case. The Examine	er presented two	prior art			
references that were used in the non-final rejection (Greenb 2001/0049511 A1). The Examiner also suggested that focu	oerg US 2003/0093089 A1 and	l Coleman et al. (<u>US</u>			
material of the multiple fluid containers would overcome the		<u>iiy Select a treatri</u>	<u>ient</u>			
Applicant recordation instructions: The formal written reply to the last Office action must include the substance of the interview. (See MPEP section 713.04). If a reply to the last Office action has already been filed, applicant is given a non-extendable period of the longer of one month or thirty days from this interview date, or the mailing date of this interview summary form, whichever is later, to file a statement of the substance of the interview						
Examiner recordation instructions : Examiners must summarize the substance of any interview of record. A complete and proper recordation of the substance of an interview should include the items listed in MPEP 713.04 for complete and proper recordation including the identification of the general thrust of each argument or issue discussed, a general indication of any other pertinent matters discussed regarding patentability and the general results or outcome of the interview, to include an indication as to whether or not agreement was reached on the issues raised.						
/KATHERINE RODJOM/ Primary Examiner, Art Unit 3734	/CHRISTIAN KNAUSS/ Examiner, Art Unit 3734					

Case 2:20-cv-06082-GRB-ST Document 69-3 Filed 06/21/22 Page 198 of 363 PageID #: Summary of Record afterview Requirements

Manual of Patent Examining Procedure (MPEP), Section 713.04, Substance of Interview Must be Made of Record

A complete written statement as to the substance of any face-to-face, video conference, or telephone interview with regard to an application must be made of record in the application whether or not an agreement with the examiner was reached at the interview.

Title 37 Code of Federal Regulations (CFR) § 1.133 Interviews

Paragraph (b)

In every instance where reconsideration is requested in view of an interview with an examiner, a complete written statement of the reasons presented at the interview as warranting favorable action must be filed by the applicant. An interview does not remove the necessity for reply to Office action as specified in §§ 1.111, 1.135. (35 U.S.C. 132)

37 CFR §1.2 Business to be transacted in writing.

All business with the Patent or Trademark Office should be transacted in writing. The personal attendance of applicants or their attorneys or agents at the Patent and Trademark Office is unnecessary. The action of the Patent and Trademark Office will be based exclusively on the written record in the Office. No attention will be paid to any alleged oral promise, stipulation, or understanding in relation to which there is disagreement or doubt.

The action of the Patent and Trademark Office cannot be based exclusively on the written record in the Office if that record is itself incomplete through the failure to record the substance of interviews.

It is the responsibility of the applicant or the attorney or agent to make the substance of an interview of record in the application file, unless the examiner indicates he or she will do so. It is the examiner's responsibility to see that such a record is made and to correct material inaccuracies which bear directly on the question of patentability.

Examiners must complete an Interview Summary Form for each interview held where a matter of substance has been discussed during the interview by checking the appropriate boxes and filling in the blanks. Discussions regarding only procedural matters, directed solely to restriction requirements for which interview recordation is otherwise provided for in Section 812.01 of the Manual of Patent Examining Procedure, or pointing out typographical errors or unreadable script in Office actions or the like, are excluded from the interview recordation procedures below. Where the substance of an interview is completely recorded in an Examiners Amendment, no separate Interview Summary Record is required.

The Interview Summary Form shall be given an appropriate Paper No., placed in the right hand portion of the file, and listed on the "Contents" section of the file wrapper. In a personal interview, a duplicate of the Form is given to the applicant (or attorney or agent) at the conclusion of the interview. In the case of a telephone or video-conference interview, the copy is mailed to the applicant's correspondence address either with or prior to the next official communication. If additional correspondence from the examiner is not likely before an allowance or if other circumstances dictate, the Form should be mailed promptly after the interview rather than with the next official communication.

The Form provides for recordation of the following information:

- Application Number (Series Code and Serial Number)
- Name of applicant
- Name of examiner
- Date of interview
- Type of interview (telephonic, video-conference, or personal)
- Name of participant(s) (applicant, attorney or agent, examiner, other PTO personnel, etc.)
- An indication whether or not an exhibit was shown or a demonstration conducted
- An identification of the specific prior art discussed
- An indication whether an agreement was reached and if so, a description of the general nature of the agreement (may be by
 attachment of a copy of amendments or claims agreed as being allowable). Note: Agreement as to allowability is tentative and does
 not restrict further action by the examiner to the contrary.
- The signature of the examiner who conducted the interview (if Form is not an attachment to a signed Office action)

It is desirable that the examiner orally remind the applicant of his or her obligation to record the substance of the interview of each case. It should be noted, however, that the Interview Summary Form will not normally be considered a complete and proper recordation of the interview unless it includes, or is supplemented by the applicant or the examiner to include, all of the applicable items required below concerning the substance of the interview.

A complete and proper recordation of the substance of any interview should include at least the following applicable items:

- 1) A brief description of the nature of any exhibit shown or any demonstration conducted,
- 2) an identification of the claims discussed,
- 3) an identification of the specific prior art discussed,
- 4) an identification of the principal proposed amendments of a substantive nature discussed, unless these are already described on the Interview Summary Form completed by the Examiner.
- 5) a brief identification of the general thrust of the principal arguments presented to the examiner,
 - (The identification of arguments need not be lengthy or elaborate. A verbatim or highly detailed description of the arguments is not required. The identification of the arguments is sufficient if the general nature or thrust of the principal arguments made to the examiner can be understood in the context of the application file. Of course, the applicant may desire to emphasize and fully describe those arguments which he or she feels were or might be persuasive to the examiner.)
- 6) a general indication of any other pertinent matters discussed, and
- 7) if appropriate, the general results or outcome of the interview unless already described in the Interview Summary Form completed by the examiner.

Examiners are expected to carefully review the applicant's record of the substance of an interview. If the record is not complete and accurate, the examiner will give the applicant an extendable one month time period to correct the record.

Examiner to Check for Accuracy

If the claims are allowable for other reasons of record, the examiner should send a letter setting forth the examiner's version of the statement attributed to him or her. If the record is complete and accurate, the examiner should place the indication, "Interview Record OK" on the paper recording the substance of the interview along with the date and the examiner's initials.

Page: 1 of 2 07/30/2015 02:36 AM TO:15712738641 FROM: Theodore Papagiannis PHONE #949760040682-GRB-ST Document 69-3 Filed 06/21/22 Page 199 of 363 PageID #:

Recipient Information

To: Examiner Christian Knauss

Company: USPTO Fax #: 5712738641

Sender Information

From: Theodore Papagiannis Company: Knobbe Martens Email address: theodore.papagiannis@knobbe.com (from 173.227.19.10)

Phone #: 9497600404

Sent on: Thursday, July 30 2015 at 5:33 AM EDT

Dear Examiner Knauss,

Please find the attached agenda for the interview. If you have any questions before our scheduled interview, do not hesitate to contact me via email (theodore.papagiannis@knobbe.com) or mobile phone (626-429-7249). Thank you.

-Ted Papagiannis

This fax was sent using the FaxZero.com free fax service. FaxZero.com has a zero tolerance policy for abuse and junk faxes. If this fax is spam or abusive, please e-mail support@faxzero.com or send a fax to 855-330-1238, or phone 707-400-6360. Specify fax #15120012. We will add your fax number to the block list.

Agenda for Interview for U.S. Pat. Appl. Nos. 14/698,673, 14/698,713 & 14/700,789 (For Discussion Purposes Only)

1. Details of Scheduled Interview:

- a. The personal interview will be conducted between Examiner Christian Knauss and attorney for Applicant, Theodore Papagiannis.
- b. Date/Time: Thursday, July 30, 2015 at 11 am Eastern

2. <u>Discussion of the claimed subject matter to which each application is directed</u>

- a. 14/698,673: systems having, e.g., a console, fluid container(s), a delivery conduit and a waste conduit
 - i. See, *inter alia*, Figures 1-4 and 15A-17 and related portions of the specification as filed
- b. 14/698,713: methods for extraction of substances (e.g., blackheads) using, e.g., application of vacuum/suction and treatment materials
 - i. See, e.g., Paragraph [0096] of the specification as filed
- c. 14/700,789: tips having, e.g., treatment materials configured to be released when fluid is delivered to the tip via, e.g., the application of vacuum/suction
 - i. See, e.g., Paragraph [0101] of the specification as filed

3. Possible additional discussion of claims and related strategy

- a. 14/700,789: discussion of references cited in Pre-Interview Communication of related application, U.S. Pat. Appl. No. 13/267,554 (currently under examination)
 - For example, certain disclosure of U.S. Publ. No. 2002/0016601 to Shadduck and U.S. Publ. No. 2003/0093040 Mikszta et al. may be discussed in view of the pending claims.

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Case 2:20-cv-06082-GRB-ST Document 69-3 Filed 06/21/22 Page 201 of 363 PageID #: 4694



United States Patent and Trademark Office

UNITED STATES DEPARTMENT OF COMMERCE United States Patent and Trademark Office Address: COMMISSIONER FOR PATENTS PO. Box 1450 Alexandria, Virginia 22313-1450 www.uspto.gov

APPLICATION NUMBER FILING OR 371(C) DATE FIRST NAMED APPLICANT ATTY. DOCKET NO./TITLE

14/698,673 04/28/2015 Roger Ignon EDGE.005C2

CONFIRMATION NO. 7926
PUBLICATION NOTICE

20995 KNOBBE MARTENS OLSON & BEAR LLP 2040 MAIN STREET FOURTEENTH FLOOR IRVINE, CA 92614



Title: CONSOLE SYSTEM FOR THE TREATMENT OF SKIN

Publication No.US-2015-0272623-A1

Publication Date: 10/01/2015

NOTICE OF PUBLICATION OF APPLICATION

The above-identified application will be electronically published as a patent application publication pursuant to 37 CFR 1.211, et seq. The patent application publication number and publication date are set forth above.

The publication may be accessed through the USPTO's publically available Searchable Databases via the Internet at www.uspto.gov. The direct link to access the publication is currently http://www.uspto.gov/patft/.

The publication process established by the Office does not provide for mailing a copy of the publication to applicant. A copy of the publication may be obtained from the Office upon payment of the appropriate fee set forth in 37 CFR 1.19(a)(1). Orders for copies of patent application publications are handled by the USPTO's Office of Public Records. The Office of Public Records can be reached by telephone at (703) 308-9726 or (800) 972-6382, by facsimile at (703) 305-8759, by mail addressed to the United States Patent and Trademark Office, Office of Public Records, Alexandria, VA 22313-1450 or via the Internet.

In addition, information on the status of the application, including the mailing date of Office actions and the dates of receipt of correspondence filed in the Office, may also be accessed via the Internet through the Patent Electronic Business Center at www.uspto.gov using the public side of the Patent Application Information and Retrieval (PAIR) system. The direct link to access this status information is currently http://pair.uspto.gov/. Prior to publication, such status information is confidential and may only be obtained by applicant using the private side of PAIR.

Further assistance in electronically accessing the publication, or about PAIR, is available by calling the Patent Electronic Business Center at 1-866-217-9197.

Office of Data Managment, Application Assistance Unit (571) 272-4000, or (571) 272-4200, or 1-888-786-0101

Case 2:20-cv-06082-GRB-ST Document 69-3 Filed 06/21/22 Page 202 of 363 PageID #: 4695

PTO/SB/08 Equivalent

		1 10,02,00 20 01101011
	Application No.	14/698,673
INFORMATION DISCLOSURE	Filing Date	April 28, 2015
STATEMENT BY APPLICANT	First Named Inventor	Ignon et al.
STATEMENT BY ALL LIDANT	Art Unit	3734
(Multiple sheets used when necessary)	Examiner	Christian D. Knauss
SHEET 1 OF 2	Attorney Docket No.	EDGE.005C2

		Document Number	U.S. PATENT D	ACCOMILIA 13	Pages, Columns, Lines Where
Examiner Initials	Cite No.	Number - Kind Code (if known) Example: 1,234,567 B1	Publication Date MM-DD-YYYY	Name of Patentee or Applicant	Relevant Passages or Relevan Figures Appear
	1	2,631,583	03-17-1953	Lavergne	
	2	4,170,821	10-16-1979	Booth	
	3	5,697,920	12-16-1997	Gibbons	
	4	5,735,833	04-07-1998	Olson	
	5	6,129,701	10-10-2000	Cimino	
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	11	9,056,193	06-16-2015	Ignon et al.	
	12	2001/0037118	11-01-2001	Shadduck	
	13	2002/0133176	09-19-2002	Parkin et al.	
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	15	2003/0167032	09-04-2003	lgnon	
	16	2004/0092959	05-13-2004	Bernaz	
	17	2004/0162565	08-19-2004	Carson et al.	
	18	2004/0254587	12-16-2004	Park	
	19	2006/0161178	07-20-2006	Lee	
	20	2006/0189964	08-24-2006	Anderson	
	21	2008/0103563	05-01-2008	Powell	
	22	2008/0221548	09-11-2008	Danenberg et al.	
	23	2009/0062815	03-05-2009	Karasiuk et al.	
	24	2010/0217357	08-26-2010	Da Silva	
	25	2012/0041338	02-16-2012	Chickering III et al.	
	26	2015/0230824	08-20-2015	Shadduck	
	27	2015/0230825	08-20-2015	Shadduck	
	28	2015/0231379	08-20-2015	Ignon et al.	
	29	2015/0265822	09-24-2015	lgnon et al.	
	30	2015/0290442	10-15-2015	Ignon et al.	

Examiner Signature Date Considered

^{*}Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

T¹ - Place a check mark in this area when an English language Translation is attached.

Case 2:20-cv-06082-GRB-ST Document 69-3 Filed 06/21/22 Page 203 of 363 PageID #: 4696

	4000	PTO/SB/08 Equivalent
	Application No.	14/698,673
INFORMATION DISCLOSURE	Filing Date	April 28, 2015
STATEMENT BY APPLICANT	First Named Inventor	Ignon et al.
	Art Unit	3734
(Multiple sheets used when necessary)	Examiner	Christian D. Knauss
SHEET 2 OF 2	Attorney Docket No.	EDGE.005C2

FOREIGN PATENT DOCUMENTS						
Examiner Initials	Cite No.	Foreign Patent Document Country Code-Number-Kind Code Example: JP 1234567 A1	Publication Date MM-DD-YYYY	Name of Patentee or Applicant	Pages, Columns, Lines Where Relevant Passages or Relevant Figures Appear	T ¹

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T¹

22505364

Examiner Signature Date Considered

^{*}Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

EDGE.005C2 PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Ignon et al.

App. No : 14/698,673

Filed : April 28, 2015

For : CONSOLE SYSTEM FOR THE

TREATMENT OF SKIN

Examiner : Christian D. Knauss

Art Unit : 3734

Conf No. : 7926

RESPONSE TO OFFICE ACTION

Mail Stop Amendment

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Dear Sir:

This response is being filed following the Office Action mailed on August 5, 2015 for the above-captioned application (the "Office Action") and the Personal Interview of July 30, 2015.

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Summary of Interview begins on page 5 of this paper.

Remarks begin on page 6 of this paper.

AMENDMENTS TO THE CLAIMS

The following listing of claims replaces all prior versions and listings of claims in the application. The listing of claims presents each claim with its respective status shown in parentheses.

- 1. (Canceled)
- 2. (*Currently Amended*) A system for performing a skin treatment procedure, the system comprising:

a console including a manifold, the manifold being in fluid communication with <u>a</u> <u>first fluid container and at least a second at least one</u>—fluid container, the <u>first fluid container and the</u> at least <u>the second one</u>—fluid container being configured to contain a treatment material for a skin treatment procedure;

a handpiece assembly comprising a tip, the tip being configured to contact a skin surface of a subject;

a supply conduit placing the manifold of the console in fluid communication with the handpiece assembly, wherein a distal end of the supply conduit is configured to couple to the handpiece assembly;

wherein the manifold is configured to control a flow of treatment material from the <u>first fluid container and</u> at least <u>the second one</u>-fluid container through the supply conduit; and

a waste conduit in fluid communication with the tip of the handpiece assembly to remove waste away from a skin surface of a subject during a skin treatment procedure, wherein the waste conduit is operatively coupled to a vacuum source[[.]]; and

a user input device for receiving instructions from a user;

wherein the system is configured to permit a user to select the treatment material from the first fluid container or the at least second fluid container to be delivered through the supply conduit to the handpiece assembly.

- 3. (Canceled)
- 4. (*Previously Presented*) The system of Claim 2, wherein the console comprises a display, wherein the display comprises a user input device to facilitate controlling a flow of treatment materials from the at least one fluid container to the handpiece assembly.

- 5. (*Previously Presented*) The system of Claim 4, wherein the user input device comprises a touch screen.
- 6. (*Previously Presented*) The system of Claim 2, wherein the at least one fluid container is releasably coupled to the manifold.
 - 7. (Canceled)
- 8. (*Currently Amended*) The system of Claim 2, wherein the manifold is configured to be placed in fluid communication with at least one fluid container comprises at least four fluid containers.
- 9. (*Currently Amended*) The system of Claim 1[[7]], wherein treatment materials from the first fluid container and at least the second fluid container the at least two fluid containers are delivered to the supply conduit sequentially or simultaneously.
 - 10. (Previously Presented) The system of Claim 2, wherein the console is movable.
- 11. (*Currently Amended*) The system of Claim 2, wherein the tip of the handpiece assembly is configured to exfoliate skin tissue as the handpiece <u>assembly</u> is moved relative to a skin surface of a subject.
- 12. (*Previously Presented*) The system of Claim 2, wherein each of the supply conduit and the waste conduit connects to a corresponding connector along a proximal end of the handpiece assembly.
- 13. (*Previously Presented*) The system of Claim 2, wherein the manifold of the console is configured to be placed in fluid communication with a container comprising an antimicrobial fluid or other disinfecting agent for periodic flushing of the manifold.
- 14. (*Currently Amended*) A system for performing a skin treatment procedure, the system comprising:
 - a manifold in fluid communication with at least <u>two one-fluid containers</u>, <u>each of</u> the at least two <u>one-fluid containers</u> being configured to contain a treatment material;
 - a handpiece assembly comprising a tip, the tip being configured to contact a skin surface of a subject; and
 - a supply conduit placing the manifold in fluid communication with the handpiece assembly, wherein a distal end of the supply conduit is configured to secure to the handpiece assembly;

wherein the manifold is configured to control a flow of treatment material from each of the at least two one-fluid containers through the supply conduit[[.]];

wherein the system is configured to permit a user to select the fluid container from which treatment material is delivered to the supply conduit.

- 15. (*Previously Presented*) The system of Claim 14, further comprising a waste conduit in fluid communication with the handpiece assembly to remove waste from a skin surface of a subject during a procedure, wherein the waste conduit is operatively coupled to a vacuum source.
- 16. (*Previously Presented*) The system of Claim 14, further comprising a user input device for selecting a treatment material to be passed through the supply conduit to the handpiece assembly.
- 17. (*Previously Presented*) The system of Claim 14, wherein console comprises a display, wherein the display comprises a user input device to facilitate controlling a flow of treatment materials from the at least one fluid container.
- 18. (*Previously Presented*) The system of Claim 17, wherein the user input device comprises a touch screen.
- 19. (*Previously Presented*) The system of Claim 14, wherein the at least one fluid container is releasably coupled to the manifold.
- 20. (*Currently Amended*) The system of Claim 14, wherein the tip of the handpiece assembly is configured to exfoliate skin tissue as the handpiece <u>assembly</u> is moved relative to a skin surface of a subject.
- 21. (*Previously Presented*) The system of Claim 14, wherein the manifold is configured to be placed in fluid communication with a container comprising an antimicrobial fluid or other disinfecting agent for periodic flushing of the manifold.

SUMMARY OF INTERVIEW

Applicant thanks Examiners Rodjom and Knauss for their time and the courtesies extended during the Interview of July 30, 2015.

Attendees, Date and Type of Interview

The Interview was conducted in person on July 30, 2015, and was attended by Examiners Christian Knauss and Katherine Rodjom, and attorney for Applicant, Theodore G. Papagiannis.

Exhibits and/or Demonstrations

None.

Identification of Claims Discussed

The pending claims, including independent Claims 2 and 14.

Identification of References Discussed

U.S. Patent Publication No. 2003/0093089 to Greenberg ("Greenberg"), and U.S. Patent Publication No. 2001/0049511 to Coleman et al. ("Coleman").

Proposed Amendments, Principal Arguments, Other Matters and Results of Interview

The Applicant's representative discussed the claims with the Examiners, who were prepared to discuss Greenberg and Coleman with Applicant's representative. These references were briefly discussed in view of the pending claims. Examiners suggested that presenting clarifying amendments related to the system's ability to permit for the selection of treatment materials from specific containers in fluid communication with a manifold would overcome any rejection over Coleman. Accordingly, as discussed in greater detail herein, Applicant is incorporated certain clarifying amendments to the claims in an effort to advance prosecution and further distinguish the present claims from the cited art, pursuant to the Interview of July 30, 2015.

REMARKS

The foregoing amendments and the following remarks are responsive to the Office Action. Claims 2 to 21 are currently pending in this application. In order to advance prosecution, clarifying amendments are presented herein to independent Claims 2 and 14 in accordance with the Interview of July 30, 2015. Clarifying amendments are also presented to dependent Claims 8, 9, 11 and 20. Further, Claims 3 and 7 are canceled without prejudice herein. Applicant submits that no new matter is added by the foregoing clarifying claim amendments. Applicant reserves the right to pursue claims similar to the original claims or previously-pending versions of the claims in a continuing application. Accordingly, Claims 2, 4 to 6 and 8 to 21 are presented for further consideration.

Claim Objections

In the Office Action, Claims 11 and 20 are objected to due to certain informalities, which are believed to have been either corrected or mooted by the foregoing amendments.

Claim Rejections under 35 U.S.C. §102 & §103

According to the Office Action, Claims 2, 3, 7 to 9, 11, 12, 14 to 16 and 20 stand rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Publication No. 2001/0049511 to Coleman et al. ("Coleman"). Claims 2, 4, 6, 10, 14, 17, and 19 stand rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Publication No. 2003/0093089 to Greenberg ("Greenberg"). Further, Claims 5 and 18 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Greenberg in view of U.S. Publication No. 2003/0018252 to Duchon et al. In addition, Claims 13 and 21 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Coleman in view of U.S. Patent No. 3,865,352 in view of Nelson et al.

Applicant respectfully disagrees with and traverses the anticipation and obviousness rejections presented in the Office Action. However, as noted above and pursuant to the Interview of July 30, 2105, Applicant is incorporating certain clarifying amendments to the claims to expedite prosecution and to further distinguish the claims from the cited references.

As discussed during the Interview, Applicant submits that the cited references, either alone or in combination, fail to teach or suggest the elements of the claims, as presented herein. For example, with specific reference to Claim 2, the cited references do not disclose, *inter alia*, a

system for performing a skin treatment procedure comprising a console including a manifold, the manifold being in fluid communication with a first fluid container and at least a second fluid container, the first fluid container and the at least the second one fluid container being configured to contain a treatment material for a skin treatment procedure, a handpiece assembly comprising a tip, the tip being configured to contact a skin surface of a subject, a supply conduit placing the manifold of the console in fluid communication with the handpiece assembly, wherein a distal end of the supply conduit is configured to couple to the handpiece assembly, wherein the manifold is configured to control a flow of treatment material from the first fluid container and at least the second one fluid container through the supply conduit, and a waste conduit in fluid communication with the tip of the handpiece assembly to remove waste away from a skin surface of a subject during a skin treatment procedure, wherein the waste conduit is operatively coupled to a vacuum source, and a user input device for receiving instructions from a user, wherein the system is configured to permit a user to select the treatment material from the first fluid container or the at least second fluid container to be delivered through the supply conduit to the handpiece assembly.

For at least the foregoing reasons, Applicant submits that the pending claims are patentable over the cited references, either alone or in combination with one another. In addition, the dependent claims are distinguished over the cited references in view of additional language included therein. Accordingly, Applicant requests that the obviousness rejections presented in the Office Action be withdrawn.

No Disclaimers or Disavowals

Although the present communication may include alterations to the application or claims, or characterizations of claim scope or referenced art, Applicant is not conceding in this application that previously pending claims are not patentable over the cited references. Rather, any alterations or characterizations are being made to facilitate expeditious prosecution of this application. Applicant reserves the right to pursue at a later date any previously pending or other broader or narrower claims that capture any subject matter supported by the present disclosure, including subject matter found to be specifically disclaimed herein or by any prior prosecution. Accordingly, reviewers of this or any parent, child or related prosecution history shall not

reasonably infer that Applicant has made any disclaimers or disavowals of any subject matter supported by the present application.

Table of U.S. Patents and Applications

Applicant provides the following table to aid the Examiner during prosecution. The following U.S. patents and/or patent applications are in the same patent family as the present application.

Attorney Docket	App. No. (Pat. No., if appl.)	Filing Date	Title
EDGE.005A	11/392,348 (U.S. Pat. 8,048,089)	Mar. 29, 2006	APPARATUS AND METHODS FOR TREATING THE SKIN
EDGE.005C1	13/267,554	Oct. 6, 2011	REMOVABLE TIPS FOR SKIN TREATMENT SYSTEMS
EDGE.005C2	14/698,673 (present application)	Apr. 28, 2015	CONSOLE SYSTEM FOR THE TREATMENT OF SKIN
EDGE.005C3	14/698,713	Apr. 28, 2015	METHODS AND SYSTEMS FOR EXTRACTION OF MATERIALS FROM SKIN
EDGE.005C4	14/700,789	Apr. 30, 2015	TIP WITH EMBEDDED MATERIALS FOR SKIN TREATMENT

Copies of these patents and patent applications, including any pending claims, office actions, allowances and/or other communications, are available through PALM and/or PAIR. However, if the Examiner so requests, Applicant will be happy to provide the Examiner with copies of any applications, pending claims, office actions, allowances, communications or any other documents, at any time.

Further, Applicant notes for the record that the claims of the present application are different and may be broader in scope than the claims in any related patent or application. To the extent that any statements made in a related case (such as amendments or characterizations regarding the scope of a claim or prior art) could be construed as a disclaimer of any subject matter supported by the present disclosure, Applicant rescinds and retracts such disclaimer. Accordingly, any listed or referenced prior art may need to be re-visited. Further, any objections or rejections made by the Examiner in the issued and allowed cases identified above may need to be re-visited.

CONCLUSION

In view of the foregoing amendments and remarks, Applicant respectfully submits that the claims are now in condition for allowance. Accordingly, Applicant respectfully requests reconsideration of the claims in light of the foregoing amendments and remarks.

Applicant has made a good faith effort to place the application in condition for immediate allowance. Nevertheless, if any issues remain or otherwise require clarification, the Examiner is respectfully requested to contact Applicant's attorney at the below-listed telephone number to promptly resolve such issues.

Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: February 5, 2016 By:/Theodore G. Papagiannis/

Theodore G. Papagiannis Registration No. 61,546 Attorney of Record Customer No. 20995 (949) 760-0404

21321587

Electronic Patent Application Fee Transmittal					
Application Number:	14698673				
Filing Date:	28-Apr-2015				
Title of Invention:	CONSOLE SYSTEM FOR THE TREATMENT OF SKIN				
First Named Inventor/Applicant Name:	Ro	ger Ignon			
Filer:	er: Theodore G. Papagiannis				
Attorney Docket Number:	ED	GE.005C2			
Filed as Small Entity					
Filing Fees for Utility under 35 USC 111(a)					
Description		Fee Code	Quantity	Amount	Sub-Total in USD(\$)
Basic Filing:					
Pages:					
Claims:					
Miscellaneous-Filing:					
Petition:					
Patent-Appeals-and-Interference:					
Post-Allowance-and-Post-Issuance:					
Extension-of-Time:					

Case 2:20-cv-06082-GRB-ST Document 69 Description	9-3 Filed 06/2 1707 _{Fee} Code	21/22 Pa (Quantity	ge 214 of 363 Amount	PageID #: Sub-Total in USD(\$)
Extension - 3 months with \$0 paid	2253	1	700	700
Miscellaneous:				
Submission- Information Disclosure Stmt	2806	1	90	90
Total in USD (\$) 790				

Case 2:20-cv-06082-GRB-ST Documer Electronic Ack	Case 2:20-cv-06082-GRB-ST Document 69-3 Filed 06/21/22 Page 215 of 363 PageID #: Electronic Acknowledgement Receipt				
EFS ID:	24843170				
Application Number:	14698673				
International Application Number:					
Confirmation Number:	7926				
Title of Invention:	CONSOLE SYSTEM FOR THE TREATMENT OF SKIN				
First Named Inventor/Applicant Name:	Roger Ignon				
Customer Number:	20995				
Filer:	Theodore G. Papagiannis/Tony Do				
Filer Authorized By:	Theodore G. Papagiannis				
Attorney Docket Number:	EDGE.005C2				
Receipt Date:	05-FEB-2016				
Filing Date:	28-APR-2015				
Time Stamp:	19:59:18				

Payment information:

Submitted with Payment	yes
Payment Type	Credit Card
Payment was successfully received in RAM	\$790
RAM confirmation Number	6556
Deposit Account	111410
Authorized User	KNOBBE MARTENS OLSON AND BEAR

The Director of the USPTO is hereby authorized to charge indicated fees and credit any overpayment as follows:

Charge any Additional Fees required under 37 CFR 1.16 (National application filing, search, and examination fees)

Charge any Additional Fees required under 37 CFR 1.17 (Patent application and reexamination processing fees)

File Listing:					
Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl
1		EDGE005C2_IDS.pdf	52973	yes	4
			4e92b524fd9aaa82902eb24d4eb85b2bf69 4fd24		
	Multipart Description/PDF files in .zip description				
	Document Description		Start	End	
	Transmittal Letter		1	2	
	Information Disclosure Statement (IDS) Form (SB08)		3	4	
Warnings:					
Information:		T			
2		EDGE005C2_OAR.pdf	61906	yes	9
			850ef86c4b2bfc59cba7246b2250a3479a74 f526	,	
	Multipart Description/PDF files in .zip description				
	Document Description		Start	End	
	Amendment/Req. Reconsideration-After Non-Final Reject		1	1	
	Claims		2	4	
	Applicant summary of interview with examiner		5	5	
	Applicant Arguments/Remarks Made in an Amendment		6	9	
Warnings:					
Information:		Γ			
3	Fee Worksheet (SB06)	fee-info.pdf	32581	no	2
			c3309c7d767f6772e3babdfacfe5fb839928 cd44		
Warnings:					

Case 2:20-cv-06082-GRB-ST Document 69-3 Filed 06/21/22 Page 216 of 363 PageID #: 4709

Case 2:20-cv-06082-GRB-ST Document 69-3 Filed 06/21/22 Page 217 of 363 PageID #:

This Acknowledgement Receipt evidences receipt on the hotel date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503.

New Applications Under 35 U.S.C. 111

If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.

National Stage of an International Application under 35 U.S.C. 371

If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.

New International Application Filed with the USPTO as a Receiving Office

If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.

Docket No.: EDGE.005C2 Customer No. 20995

INFORMATION DISCLOSURE STATEMENT

Inventor : Ignon et al.

App. No. : 14/698,673

Filed : April 28, 2015

For : CONSOLE SYSTEM FOR THE TREATMENT

OF SKIN

Examiner : Christian D. Knauss

Art Unit : 3734

Conf. No. : 7926

Mail Stop Amendment

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

References and Listing

Pursuant to 37 CFR 1.56, an Information Disclosure Statement listing references is provided herewith. Copies of any listed foreign and non-patent literature references are being submitted. Identification herein is not an admission that any of the references are prior art to the above captioned application.

Related Applications of Assignee

Applicant wishes to draw the Examiner's attention to the following patents and/or applications in the same patent family as the present application.

Attorney Docket	App. No. (Pat. No., if appl.)	Filing Date	Title
EDGE.005A	11/392,348 (U.S. Pat. 8,048,089)	Mar. 29, 2006	APPARATUS AND METHODS FOR TREATING THE SKIN
EDGE.005C1	13/267,554	Oct. 6, 2011	REMOVABLE TIPS FOR SKIN TREATMENT SYSTEMS
EDGE.005C2	14/698,673 (present application)	Apr. 28, 2015	CONSOLE SYSTEM FOR THE TREATMENT OF SKIN
EDGE.005C3	14/698,713	Apr. 28, 2015	METHODS AND SYSTEMS FOR EXTRACTION OF MATERIALS FROM SKIN
EDGE.005C4	14/700,789	Apr. 30, 2015	TIP WITH EMBEDDED MATERIALS FOR SKIN TREATMENT

Application No.:

14/698,673

Filing Date:

April 28, 2015

Copies of these patents and patent applications, including any pending claims, office

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However, if the Examiner so requests, Applicant will be happy to provide the Examiner with

copies of any applications, pending claims, office actions, allowances, communications or any

other documents, at any time.

Further, Applicant notes for the record that the claims of the present application are

different and may be broader in scope than the claims in any related patent or application. To the

extent that any statements made in a related case (such as amendments or characterizations

regarding the scope of a claim or prior art) could be construed as a disclaimer of any subject

matter supported by the present disclosure, Applicant rescinds and retracts such disclaimer.

Accordingly, any listed or referenced prior art may need to be re-visited. Further, any objections

or rejections made by the Examiner in the issued and allowed cases identified above may need to

be re-visited.

Timing of Disclosure

This Information Disclosure Statement is being filed after receipt of a First Office

Action, but before the mailing date of a Final Action and before the mailing date of a Notice of

Allowance. This Statement is accompanied by the fees set forth in 37 CFR 1.17(p). The

Commissioner is hereby authorized to charge any additional fees which may be required or to

credit any overpayment to Account No. 11-1410.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: February 5, 2016

By:/Theodore G. Papagiannis/

Theodore G. Papagiannis

Registration No. 61,546

Attorney of Record

Customer No. 20995

(949) 760-0404

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PTO/SB/06 (09-11)
Approved for use through 1/31/2014. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCI

P	ATENT APPLI	ICATION F		ERMINATION		Application	o a collection of illinormation or Docket Number /698,673	Filing Date 04/28/2015	To be Mailed
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\boxtimes	BASIC FEE (37 CFR 1.16(a), (b), c	or (c))	N/A		N/A		N/A		140
	SEARCH FEE (37 CFR 1.16(k), (i), or (m))		N/A		N/A		N/A		
	EXAMINATION FE (37 CFR 1.16(o), (p), c		N/A		N/A		N/A		
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	Independent (37 CFR 1.16(h))	* 2	Minus	***3	= 0		x \$210=		0
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	FIRST PRESEN	TATION OF MU	LTIPLE DEPEN	DENT CLAIM (37 CFF	R 1.16(j))				
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		CLAIMS REMAINING AFTER AMENDMEN		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EX	TRA	RATE (\$)	ADDITIO	ONAL FEE (\$)
AMENDMENT	Total (37 CFR 1.16(i))	*	Minus	**	=		X \$ =		
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EN EN	Application Si	ize Fee (37 CF	R 1.16(s))	<u> </u>					
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This collection of information is required by 37 CFR 1.16. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS

Case 2:20-cv-06082-GRB-ST Document 69-3 Filed 06/21/22 Page 221 of 363 PageID #:

UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE United States Patent and Trademark Office Address: COMMISSIONER FOR PATENTS P.O. Box 1450 Alexandria, Virginia 22313-1450 www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
14/698,673	04/28/2015	Roger Ignon	EDGE.005C2	7926
	7590 03/07/201 RTENS OLSON & BE		EXAM	IINER
2040 MAIN ST FOURTEENTH	REET	KNAUSS, CI	HRISTIAN D	
IRVINE, CA 92	2614		ART UNIT	PAPER NUMBER
			3731	
			NOTIFICATION DATE	DELIVERY MODE
			03/07/2016	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

jayna.cartee@knobbe.com efiling@knobbe.com

Case 2:20-cv-06082-GRB-ST Document	69-3 Filed 06/21/22 Page	e 222 of 36	3 PageID #					
	Application No. 14/698,673	Applicant(s) IGNON ET A	3					
Office Action Summary	Examiner CHRISTIAN KNAUSS	Art Unit 3731	AIA (First Inventor to File) Status No					
The MAILING DATE of this communication app Period for Reply	ears on the cover sheet with the c	orrespondenc	ce address					
A SHORTENED STATUTORY PERIOD FOR REPLY THIS COMMUNICATION. - Extensions of time may be available under the provisions of 37 CFR 1.13 after SIX (6) MONTHS from the mailling date of this communication. - If NO period for reply is specified above, the maximum statutory period w - Failure to reply within the set or extended period for reply will, by statute, Any reply received by the Office later than three months after the mailing earned patent term adjustment. See 37 CFR 1.704(b).	ill apply and will expire SIX (6) MONTHS from cause the application to become ABANDONE	nely filed the mailing date of D (35 U.S.C. § 133	this communication.					
Status								
1) Responsive to communication(s) filed on <u>2/5/16</u> . A declaration(s)/affidavit(s) under 37 CFR 1.130(b) was/were filed on 2a) This action is FINAL . 2b) This action is non-final.								
3) An election was made by the applicant in response		set forth durir	ng the interview on					
; the restriction requirement and election have been incorporated into this action. 4) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under <i>Ex parte Quayle</i> , 1935 C.D. 11, 453 O.G. 213.								
Disposition of Claims*								
5) Claim(s) 2.4-6 and 8-21 is/are pending in the a 5a) Of the above claim(s) is/are withdraw 6) Claim(s) is/are allowed. 7) Claim(s) 2.4-6 and 8-21 is/are rejected. 8) Claim(s) is/are objected to. 9) Claim(s) are subject to restriction and/or * If any claims have been determined allowable, you may be eliparticipating intellectual property office for the corresponding aphttp://www.uspto.gov/patents/init_events/pph/index.jsp or send	vn from consideration. Telection requirement. Telection formation, please or plication. For more information, please or plication.	ise see	way program at a					
Application Papers								
10) The specification is objected to by the Examiner								
11) The drawing(s) filed on is/are: a) acce	· · · · · · · · · · · · · · · · · · ·		(-)					
Applicant may not request that any objection to the c Replacement drawing sheet(s) including the correcti								
Priority under 35 U.S.C. § 119			37 GFR 1.121(d).					
12) Acknowledgment is made of a claim for foreign Certified copies: a) All b) Some** c) None of the: 1. Certified copies of the priority document 2. Certified copies of the priority document 3. Copies of the certified copies of the priority document application from the International Bureau	s have been received. s have been received in Applicat rity documents have been receiv	ion No						
** See the attached detailed Office action for a list of the certifie	d copies not received.							
Attachment(s)								
1) Notice of References Cited (PTO-892)	3) Interview Summary Paper No(s)/Mail Da							
 Information Disclosure Statement(s) (PTO/SB/08a and/or PTO/S Paper No/s)/Mail Date 	(B/08b) 4) Other:							

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DETAILED ACTION

Notice of Pre-AIA or AIA Status

1. The present application is being examined under the pre-AIA first to invent provisions.

Response to Amendment

2. Claims 2, 4-6, and 8-21 are pending in the application. Claims 1, 3, and 7 have been canceled. Claims 2, 8, 9, 11, 14, and 20 have been amended.

Claim Objections

3. Claim 9 is objected to because of the following informalities: Claim 9 is dependent on claim 1, which is canceled. For examination purposes, the Examiner has assumed that claim 9 is dependent on claim 2. Appropriate correction is required.

Claim Rejections - 35 USC § 112

- The following is a quotation of 35 U.S.C. 112(b):
 (b) CONCLUSION.—The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the inventor or a joint inventor regards as the invention.
 - The following is a quotation of 35 U.S.C. 112 (pre-AIA), second paragraph: The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.
- 5. Claims 4-6 and 17-19 are rejected under 35 U.S.C. 112(b) or 35 U.S.C. 112 (pre-AIA), second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which the inventor or a joint inventor, or for pre-AIA the applicant regards as the invention.

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6. Claim 4 recites the limitation "the at least one fluid container" in line 3. There is insufficient antecedent basis for this limitation in the claim. Appropriate correction is required.

- 7. Claim 4 recites that the console comprises a display, which comprises a user input device to facilitate controlling a flow of treatment materials from the at least one fluid container to the handpiece assembly. It is unclear if this user input device is the same user input device from claim 1, or a different user input device. Appropriate correction is required.
- 8. Claim 5 is dependent on rejected claim 4, thus is also rendered indefinite.

 Appropriate correction is required.
- 9. Claim 6 recites the limitation "the at least one fluid container" in lines 1-2. There is insufficient antecedent basis for this limitation in the claim. Appropriate correction is required.
- 10. Claim 17 recites the limitation "the at least one fluid container" in line 3. There is insufficient antecedent basis for this limitation in the claim. Appropriate correction is required.
- 11. Claim 17 recites the limitation "console" in line 1. There is insufficient antecedent basis for this limitation in the claim. Appropriate correction is required.
- 12. Claim 18 is dependent on rejected claim 17, thus is also rendered indefinite. Appropriate correction is required.

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13. Claim 19 recites the limitation "the at least one fluid container" in lines 1-2. There is insufficient antecedent basis for this limitation in the claim. Appropriate correction is required.

Claim Rejections - 35 USC § 103

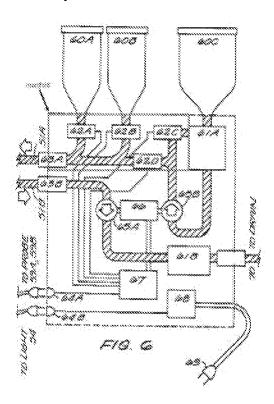
- 14. The following is a quotation of pre-AIA 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:
 - (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.
- 15. Claims 2, 4, 6, 8-12, 14-17, 19, and 20 are rejected under pre-AIA 35 U.S.C. 102(b) as anticipated by Coleman et al. (US 2001/0049511 A1) ("Coleman") or, in the alternative, under pre-AIA 35 U.S.C. 103(a) as obvious over Coleman et al. (US 2001/0049511 A1) ("Coleman") in view of Greenberg (US 2003/0093089 A1).

Regarding claim 2, Coleman discloses (Figures 4-6) a system for performing a skin treatment procedure, the system comprising: a console (Figure 6) including a manifold (see Figure 6 below), the manifold being in fluid communication with a first fluid container (60C) and at least a second fluid container (60B), the first fluid container and the at least second fluid container capable of containing a treatment material for a skin treatment procedure; a handpiece assembly (Figures 5A and 5B) comprising a tip, the tip capable of contacting a skin surface of a subject; a supply conduit (51A) placing the manifold of the console in fluid communication with the handpiece assembly, wherein a

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distal end of the supply conduit is configured to couple to the handpiece assembly; wherein the manifold is capable of controlling a flow of treatment material from the first fluid container and at least the second fluid container through the supply conduit; a waste conduit (51B) in fluid communication with the tip of the handpiece assembly to remove waste away from a skin surface of a subject during a skin treatment procedure, wherein the waste conduit is operatively coupled to a vacuum source (64A); and a user input device (59A, 59B) capable of receiving instructions from a user; wherein the system is capable of permitting a user to select a treatment material from the first fluid container or the at least second fluid container to be delivered through the supply conduit to the handpiece assembly.



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Regarding claim 8, Coleman discloses (Figure 6) that the manifold is configured to be placed in fluid communication with at least four fluid containers (60A, 60B, 60C, 61A).

Regarding claim 9, Coleman discloses that treatment materials from the first fluid container and the at least second fluid container are delivered to the supply conduit simultaneously (paragraph 0060).

Regarding claim 10, the console disclosed by Coleman is capable of being moved.

Regarding claim 11, Coleman discloses that the tip of the handpiece assembly is capable of exfoliating skin tissue as the handpiece assembly is moved relative to a skin surface of a subject (paragraphs 0009-0010).

Regarding claim 12, Coleman discloses (Figures 5A and 5B) that each of the supply conduit (51A) and the waste conduit (51B) connects to a corresponding connector along a proximal end of the handpiece assembly.

Regarding claim 14, Coleman discloses (Figures 4-6) a system for performing a skin treatment procedure, the system comprising: a manifold (see Figure 6 above) in fluid communication with at least two fluid containers (60B, 60C), each of the at least two fluid containers capable of containing a treatment material; a handpiece assembly (Figures 5A and 5B) comprising a tip, the tip capable of contacting a skin surface of a subject; and a supply conduit (51A) placing the manifold in fluid communication with the handpiece assembly, wherein a distal end of the supply conduit is capable of securing to the handpiece assembly; wherein the manifold is capable of controlling a flow of

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treatment material from each of the fluid containers through the supply conduit; wherein the system is capable of permitting a user to select the fluid container from which treatment material is delivered to the supply conduit.

Regarding claim 15, Coleman discloses (Figure 6) a waste conduit (51B) in fluid communication with the handpiece assembly capable of removing waste from a skin surface of a subject during a procedure, wherein the waste conduit is operatively couple to a vacuum source (65A).

Regarding claim 16, Coleman discloses (Figures 5A and 5B) a user input device (59A and 59B) for selecting a treatment material to be passed through the supply conduit to the handpiece assembly.

Regarding claim 20, Coleman discloses that the tip of the handpiece assembly is capable of exfoliating skin tissue as the handpiece assembly is moved relative to a skin surface of a subject (paragraphs 0009-0010).

In the alternative, regarding claims 2, 4, and 6, Coleman discloses (Figures 4-6) a system for performing a skin treatment procedure, the system comprising: a console (Figure 6) including a manifold (see Figure 6 below), the manifold being in fluid communication with a first fluid container (60C) and at least a second fluid container (60B), the first fluid container and the at least second fluid container capable of containing a treatment material for a skin treatment procedure; a handpiece assembly (Figures 5A and 5B) comprising a tip, the tip capable of contacting a skin surface of a subject; a supply conduit (51A) placing the manifold of the console in fluid

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communication with the handpiece assembly, wherein a distal end of the supply conduit is configured to couple to the handpiece assembly; wherein the manifold is capable of controlling a flow of treatment material from the first fluid container and at least the second fluid container through the supply conduit; a waste conduit (51B) in fluid communication with the tip of the handpiece assembly to remove waste away from a skin surface of a subject during a skin treatment procedure, wherein the waste conduit is operatively coupled to a vacuum source (64A); and a user input device (59A, 59B) capable of receiving instructions from a user; wherein the system is capable of permitting a user to select a treatment material from the first fluid container or the at least second fluid container to be delivered through the supply conduit to the handpiece assembly. However, Coleman fails to disclose that the console comprises a display, wherein the display comprises a user input device to facilitate controlling a flow of treatment materials from the at least one fluid container to the handpiece assembly. Coleman further fails to disclose that the at least one fluid container is releasably coupled to the manifold.

Greenberg discloses (Figures 1 and 2) a system for performing a skin treatment procedure, the system comprising: a console (10) including a manifold, a fluid container (18), a handpiece assembly (16), a supply conduit (20), a waste conduit (20), a display (front surface of console containing 52, 56), wherein the display comprises a user input device (30, 32, 42, 48, 50) capable of facilitating controlling a flow of treatment materials from the at least one fluid container to the handpiece assembly. Greenberg discloses (Figure 2) that the fluid container is releasably coupled to the manifold.

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It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the console to include a display, wherein the display comprises a user input device to facilitate controlling a flow of treatment materials from the at least one fluid container to the handpiece assembly, as taught by Greenberg. This modification would provide advantages such as a display including a timer to assist the operator in keeping track of time that the machine has been used for (paragraph 0063) and would allow the operator to make adjustments to features such as vacuum suction (paragraph 0059). It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the at least one fluid container to be releasably coupled to the manifold, as taught by Greenberg. This modification would allow the operator to attach containers of different medical treatment materials to the manifold to be applied to the skin.

Regarding claims 14, 17, and 19, Coleman discloses (Figures 4-6) a system for performing a skin treatment procedure, the system comprising: a manifold (see Figure 6 above) in fluid communication with at least two fluid containers (60B, 60C), each of the at least two fluid containers capable of containing a treatment material; a handpiece assembly (Figures 5A and 5B) comprising a tip, the tip capable of contacting a skin surface of a subject; and a supply conduit (51A) placing the manifold in fluid communication with the handpiece assembly, wherein a distal end of the supply conduit is capable of securing to the handpiece assembly; wherein the manifold is capable of controlling a flow of treatment material from each of the fluid containers through the

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supply conduit; wherein the system is capable of permitting a user to select the fluid container from which treatment material is delivered to the supply conduit.

However, Coleman fails to disclose that the console comprises a display, wherein the display comprises a user input device to facilitate controlling a flow of treatment materials from the at least one fluid container to the handpiece assembly. Coleman further fails to disclose that the at least one fluid container is releasably coupled to the manifold.

Greenberg discloses (Figures 1 and 2) a system for performing a skin treatment procedure, the system comprising: a console (10) including a manifold, a fluid container (18), a handpiece assembly (16), a supply conduit (20), a waste conduit (20), a display (front surface of console containing 52, 56), wherein the display comprises a user input device (30, 32, 42, 48, 50) capable of facilitating controlling a flow of treatment materials from the at least one fluid container to the handpiece assembly. Greenberg discloses (Figure 2) that the fluid container is releasably coupled to the manifold.

It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the console to include a display, wherein the display comprises a user input device to facilitate controlling a flow of treatment materials from the at least one fluid container to the handpiece assembly, as taught by Greenberg. This modification would provide advantages such as a display including a timer to assist the operator in keeping track of time that the machine has been used for (paragraph 0063) and would allow the operator to make adjustments to features such as vacuum suction (paragraph 0059). It would have been obvious to one having ordinary skill in the

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art at the time the invention was made to modify the at least one fluid container to be releasably coupled to the manifold, as taught by Greenberg. This modification would allow the operator to attach containers of different medical treatment materials to the manifold to be applied to the skin.

16. Claims 5 and 18 are rejected under pre-AIA 35 U.S.C. 103(a) as being unpatentable over Coleman et al. (US 2001/0049511 A1) ("Coleman") in view of Greenberg (US 2003/0093089 A1) as applied to claims 4 and 17, respectively, above, and further in view of Duchon et al. (US 2003/0018252 A1) ("Duchon").

Regarding claims 5 and 18, Coleman as modified by Greenberg teaches the invention substantially as claimed. However, the combined teaching fails to teach that the user input device comprises a touch screen.

Duchon teaches that it was well-known in the art at the time the invention was made for a console to include a touch screen user input (432). Duchon teaches that a touch screen is an equivalent structure to a selector dial, keypad, button, etc. that can be used by a user for console input.

It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the user input device taught by Coleman in view of Greenberg to be a touch screen user input because Duchon teaches that a touch screen is an equivalent structure to a input knob, button, keypad, dial, etc. that is known in the art for entering input into a console system.

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17. Claims 13 and 21 rejected under pre-AIA 35 U.S.C. 103(a) as being unpatentable over Coleman et al. (US 2001/0049511 A1) ("Coleman") in view of Nelson et al. (US 3,865,352) ("Nelson") or in the alternative over Coleman et al. (US 2001/0049511 A1) ("Coleman") in view Greenberg (US 2003/0093089 A1) as applied to claims 2 and 14, respectively, above, and in further view of Nelson et al. (US 3,865,352) ("Nelson").

Regarding claims 13 and 21, Coleman discloses the invention substantially as highlighted in the rejections above. However, Coleman fails to disclose that the manifold of the console is configured to be placed in fluid communication with a container comprising an antimicrobial fluid, or other disinfecting agent for periodic flushing of the manifold.

Nelson teaches a device for mixing and dispensing materials, comprising: a manifold (25), the manifold in fluid communication with at least one fluid container (15, 16, 38), the at least one fluid container being configured to contain a fluid material; a handpiece assembly (10); the manifold and the handpiece assembly in fluid communication. Nelson further teaches that the manifold of the console is in fluid communication with a container (38) comprising a solvent for periodic flushing and cleaning of the manifold.

It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the manifold to be placed in fluid communication with a container comprising a solvent for periodic flushing of the manifold, as taught by Nelson.

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This modification would clean the manifold and supply conduit of the materials from the at least one fluid container (Column 2, lines 18-22).

Response to Arguments

18. Applicant's arguments filed 2/5/16 have been fully considered but they are not persuasive. During the interview held on 8/7/15, the Examiner provided a suggested strategy as to how to amend the claims to overcome the previous rejections. However, specific claim language was not agreed upon. After further review of the specification, the Examiner suggests that the Applicant amend the claims to recite that the system is configured to permit a user to *individually/independently* select the treatment material from the first fluid container or the at least second fluid container to be delivered through the supply conduit to the handpiece assembly, as disclosed in paragraph 0129.

Conclusion

19. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

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the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to CHRISTIAN KNAUSS whose telephone number is (571)272-8641. The examiner can normally be reached on Monday-Friday 8:00 am - 5 pm EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Corrine McDermott can be reached on (571)272-4754. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/C. K./ Examiner, Art Unit 3731 /RYAN J. SEVERSON/ Primary Examiner, Art Unit 3731

Page 14

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Notice of References Cited	Application/Control No. 14/698,673	Applicant(s)/Patent Under Reexamination IGNON ET AL.	
	Examiner	Art Unit	
	CHRISTIAN KNAUSS	3731	Page 1 of 1

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*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	CPC Classification	US Classification
*	Α	US-2001/0049511 A1	12-2001	COLEMAN, WILLIAM P.	A61H9/00	604/290
*	В	US-3,865,352 A	02-1975	Nelson; Charles Edward	B01F3/10	138/42
*	С	US-2003/0018252 A1	01-2003	Duchon, Douglas J.	A61B6/481	600/432
*	D	US-2003/0093089 A1	05-2003	Greenberg, Ronald Allan	A61B17/545	606/131
	Е	US-				
	F	US-				
	G	US-				
	Н	US-				
	Ι	US-				
	J	US-				
	К	US-				
	L	US-				
	М	US-				

FOREIGN PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Country	Name	CPC Classification
	N					
	0					
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NON-PATENT DOCUMENTS

	NON PATENT BOOMENTO							
*		Include as applicable: Author, Title Date, Publisher, Edition or Volume, Pertinent Pages)						
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*A copy of this reference is not being furnished with this Office action. (See MPEP § 707.05(a).) Dates in MM-YYYY format are publication dates. Classifications may be US or foreign.

Receipt Case: 2020-05/26082-GRB-ST Document 69-3 Filed 06/21/22 Page 2986083639Auge 1034: 4730

PTO/SB/08 Equivalent

		1 10/0B/00 Equivalent
	Application No.	14/698,673
INFORMATION DISCLOSURE	Filing Date	April 28, 2015
STATEMENT BY APPLICANT	First Named Inventor	Ignon et al.
STATEMENT DI ALI LICANT	Art Unit	3734
(Multiple sheets used when necessary)	Examiner	Christian D. Knauss
SHEET 1 OF 2	Attorney Docket No.	EDGE.005C2

			U.S. PATENT D	OCUMENTS	
Examiner Initials	Cite No.	Document Number Number - Kind Code (if known) Example: 1,234,567 B1	Publication Date MM-DD-YYYY	Name of Patentee or Applicant	Pages, Columns, Lines Where Relevant Passages or Relevant Figures Appear
	1	2,631,583	03-17-1953	Lavergne	
	2	4,170,821	10-16-1979	Booth	
	3	5,697,920	12-16-1997	Gibbons	
	4	5,735,833	04-07-1998	Olson	
	5	6,129,701	10-10-2000	Cimino	
	6	6,162,218	12-19-2000	Elbrecht et al.	
	7	6,193,589	02-27-2001	Khalaj	
	8	6,235,039	05-22-2001	Parkin et al.	
	9	6,589,218	07-08-2003	Garcia	
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	16	2004/0092959	05-13-2004	Bernaz	
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	18	2004/0254587	12-16-2004	Park	
	19	2006/0161178	07-20-2006	Lee	
	20	2006/0189964	08-24-2006	Anderson	
	21	2008/0103563	05-01-2008	Powell	
	22	2008/0221548	09-11-2008	Danenberg et al.	
	23	2009/0062815	03-05-2009	Karasiuk et al.	
	24	2010/0217357	08-26-2010	Da Silva	
	25	2012/0041338	02-16-2012	Chickering III et al.	
	26	2015/0230824	08-20-2015	Shadduck	
	27	2015/0230825	08-20-2015	Shadduck	
	28	2015/0231379	08-20-2015	Ignon et al.	
	29	2015/0265822	09-24-2015	Ignon et al.	
	30	2015/0290442	10-15-2015	Ignon et al.	
xaminer S	ionatu	re /CHRISTIAN D KNAUS		Date Considered	02/25/2016

Examiner Signature /CHRISTIAN D KNAUSS/ Date Considered 02/25/2016

*Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not

in conformance and not considered. Include copy of this form with next communication to applicant.

T¹ - Place a check mark in this area when an English language Translation is attached.
ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /C.D.K/

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PTO/SB/08 Equivalent

	Application No.	14/698,673
INFORMATION DISCLOSURE	Filing Date	April 28, 2015
STATEMENT BY APPLICANT	First Named Inventor	Ignon et al.
STATEMENT BY ALT LICANT	Art Unit	3734
(Multiple sheets used when necessary)	Examiner	Christian D. Knauss
SHEET 2 OF 2	Attorney Docket No.	EDGE.005C2

	FOREIGN PATENT DOCUMENTS								
Examiner Initials	Cite No.	Foreign Patent Document Country Code-Number-Kind Code Example: JP 1234567 A1	Publication Date MM-DD-YYYY	Name of Patentee or Applicant	Pages, Columns, Lines Where Relevant Passages or Relevant Figures Appear	T ¹			

		NON PATENT LITERATURE DOCUMENTS	
Examiner Initials	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T¹

22505364

Examiner Signature / CHRISTIAN D KNAUSS/ Date Considered 02/25/2016

^{*}Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

	Application/Control No.	Applicant(s)/Patent Under Reexamination
Search Notes	14698673	IGNON ET AL.
	Examiner	Art Unit
	CHRISTIAN KNAUSS	3734

CPC- SEARCHED		
Symbol	Date	Examiner
A61B17/54, 545	7/23/15	CDK
A61B2017/00017, 00199, 00743, 00747, 00761	7/23/15	CDK
A61B19/0248	7/23/15	CDK
A61B2019/025	7/23/15	CDK
A61B2217/005, 007	7/23/15	CDK

CPC COMBINATION SETS - SEARC	CHED	
Symbol	Date	Examiner

	US CLASSIFICATION SEARCHE	ED .	
Class	Subclass	Date	Examiner

SEARCH NOTES		
Search Notes	Date	Examiner
Performed inventor and assignee searches in PALM and EAST	7/23/15	CDK
Performed EAST search (see attached EAST search history)	7/23/15	CDK
Performed forward/backward searches in EAST	7/23/15	CDK
Performed class/text searchs and combinations in EAST	7/23/15	CDK
Updated EAST search (see attached EAST search history)	2/25/16	CDK
Consulted Ryan Severson	2/25/16	CDK

	INTERFERENCE SEARCH		
US Class/ CPC Symbol	US Subclass / CPC Group	Date	Examiner

/C.K./ Examiner.Art Unit 3731	

U.S. Patent and Trademark Office Part of Paper No.: 20160224

EAST Search History

EAST Search History (Prior Art)

Ref #	Hits	Search Query	DBs	Default Operator	Plurals	Time Stamp
S1	29	(roger near2 ignon).in.	US- PGPUB; USPAT	OR	ON	2015/07/21 10:00
S2	101	(scott near2 mallett).in.	US- PGPUB; USPAT	OR	ON	2015/07/21 10:04
S3	3	(abraham near2 solano).in.	US- PGPUB; USPAT	OR	ON	2015/07/21 10:06
S4	100	(william near2 cohen).in.	US- PGPUB; USPAT	OR	ON	2015/07/21 10:07
S5	24	(edge near2 systems).as.	US- PGPUB; USPAT	OR	ON	2015/07/21 10:09
S6	310	US-1234567-\$.DID. OR US-2608032-\$.DID. OR US-2701559-\$.DID. OR US-2712823-\$.DID. OR US-2867214-\$.DID. OR US-2881763-\$.DID. OR US-2921585-\$.DID. OR US-3085573-\$.DID. OR US-3214869-\$.DID. OR US-3476112-\$.DID. OR US-3574239-\$.DID. OR US-3476112-\$.DID. OR US-3948265-\$.DID. OR US-3915838-\$.DID. OR US-3948265-\$.DID. OR US-3964212-\$.DID. OR US-3977084-\$.DID. OR US-4121388-\$.DID. OR US-4155721-\$.DID. OR US-4182329-\$.DID. OR US-4203431-\$.DID. OR US-4216233-\$.DID. OR US-4203431-\$.DID. OR US-4216233-\$.DID. OR US-4203431-\$.DID. OR US-4646482-\$.DID. OR US-4646480-\$.DID. OR US-4676749-\$.DID. OR US-4655743-\$.DID. OR US-4676749-\$.DID. OR US-4757814-\$.DID. OR US-4764362-\$.DID. OR US-4795421-\$.DID. OR US-4764362-\$.DID. OR US-4795421-\$.DID. OR US-4875287-\$.DID. OR US-4886078-\$.DID. OR US-48957747-\$.DID. OR US-4925450-\$.DID. OR US-4957747-\$.DID. OR US-4925450-\$.DID. OR US-5006339-\$.DID. OR US-5006004-\$.DID. OR US-5006339-\$.DID. OR US-5012797-\$.DID. OR US-5037432-\$.DID. OR US-5119839-\$.DID. OR US-5100412-\$.DID. OR US-5037432-\$.DID. OR US-5119839-\$.DID. OR US-5100424-\$.DID. OR US-5119839-\$.DID. OR US-5100424-\$.DID. OR US-51100-\$.DID. OR US-5100424-\$.DID. OR US-51100-\$.DID. OR US-5222956-\$.DID. OR US-5242433-\$.DID. OR US-5222956-\$.DID. OR US-5242433-\$.DID. OR US-5254109-\$.DID. OR US-5368581-\$.DID. OR US-5391151-\$.DID. OR US-5368581-\$.DID. OR US-5391151-\$.DID. OR US-5460620-\$.DID. OR US-5470323-\$.DID. OR US-5484427-\$.DID. OR US-5562642-\$.DID. OR US-5611687-\$.DID. OR US-5612797-\$.DID. OR US-5611687-\$.DID. OR US-5612797-\$.DID. OR US-561100-\$.DID. OR US-5562642-\$.DID. OR US-5611687-\$.DID. OR US-5612797-\$.DID. OR US-5611687-\$.	US- PGPUB; USPAT	OR	ON	2015/07/21

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S8	0	14/698,673	US- PGPUB; USPAT; EPO; JPO	OR	ON	2015/07/21 10:57
S9	484	(console and manifold and fluid and container and hand\$7 and (conduit tube) and vacuum)	US- PGPUB; USPAT; EPO; JPO	OR	ON	2015/07/21 11:04
S10	498	A61B17/54.cpc.	US- PGPUB; USPAT	OR	ON	2015/07/21 12:13
S11	136	A61B17/545.cpc.	US- PGPUB; USPAT	OR	ON	2015/07/21 12:29
S12	583	A61B19/0248.cpc.	US- PGPUB; USPAT	OR	ON	2015/07/21 12:43
S13	511	A61B2019/025.cpc.	US- PGPUB; USPAT	OR	ON	2015/07/21 12:50
S14	1159	A61B2017/00199.cpc.	US- PGPUB; USPAT	OR	ON	2015/07/21 12:59
S15	955	A61B2017/00017.cpc.	US- PGPUB;	OR	ON	2015/07/21 13:15

EAST Search History Case 2:20-cv-06082-GRB-ST Document 69-3 Filed 06/21/22 Page 247 of 363 PageID #:

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S16	2160	A61B2217/005.cpc.	US- PGPUB; USPAT	OR	ON	2015/07/21 13:21
S17	1269	A61B2217/007.cpc.	US- PGPUB; USPAT	OR	ON	2015/07/21 13:21
S18	38	("4183470" "5186625" "5240842" "5350299" "5362494" "5441174" "5547376" "5591184" "5634791" "5657760" "5752829" "Re31887").PN. OR ("6264666").URPN.	US- PGPUB; USPAT; USOCR	OR	ON	2015/07/21 16:03
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S20	19	("3815286" "5037432" "5207234" "5971999").PN. OR ("6238275").URPN.	US- PGPUB; USPAT; USOCR		ON	2015/07/22 10:07
S21	51	("20010023351" "2701559" "2712823" "2867214" "2881763" "2921585" "3964212" "4378804" "4957747" "5012797" "5037431" "5037432" "5100412" "5207034" "5207234" "5620414" "5800446" "5810842" "5954730" "5971999" "6019749" "6039745" "6042552" "6080165" "6120512" "6238275" "6303119").PN. OR ("6527783").URPN.	US- PGPUB; USPAT; USOCR	OR	ON	2015/07/22 10:09
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S24	38	("5037432" "5100412" "5810842" "5971999").PN. OR ("6080165").URPN.	US- PGPUB; USPAT; USOCR		ON	2015/07/22 10:17
S25	43	("20010023351" "2701559" "2712823" "2867214" "2881763" "2921585" "3964212" "4378804" "4957747" "5012797" "5037431" "5037432" "5100412" "5154696" "5207234" "5800446" "5810842" "5954730" "5971999" "6019749" "6039745" "6042552" "6080165" "6196982" "6235039" "6241739" "6250996"	US- PGPUB; USPAT; USOCR		ON	2015/07/22 10:21

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EAST Search History
Case 2:20-cv-06082-GRB-ST Document 69-3 Filed 06/21/22 Page 250 of 363 PageID #:

		"7232444" "D249550"	24" "46534 "D192841" "D326920" "D627876")).URPN.	"D224070" "D475463"	'	PGPUB; USPAT; USOCR			10:15
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EAST Search History (Interference)

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Case 2:20-cv-06082-GRB-ST Document 69-3 Filed 06/21/22 Page 251 of 363 PageID #:

UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE United States Patent and Trademark Office Address: COMMISSIONER FOR PATENTS P.O. Box 1450 Alexandria, Virginia 22313-1450 www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
14/698,673	04/28/2015 Roger Ignon		EDGE.005C2	7926
	7590 05/10/201 RTENS OLSON & BE		EXAM	INER
2040 MAIN ST FOURTEENTH	REET	AK DEA	KNAUSS, CI	HRISTIAN D
IRVINE, CA 92			ART UNIT	PAPER NUMBER
			3731	
			NOTIFICATION DATE	DELIVERY MODE
			05/10/2016	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

jayna.cartee@knobbe.com efiling@knobbe.com

47	Application No.	Applicant(s)						
Applicant-Initiated Interview Summary	14/698,673	IGNON ET AL.						
Approant-initiated interview duminary	Examiner	Art Unit						
	CHRISTIAN KNAUSS	3731						
All participants (applicant, applicant's representative, PTO	personnel):							
(1) <u>CHRISTIAN KNAUSS</u> .	(3) <u>MASON MARKS</u> .							
(2) <u>THEODORE PAPAGIANNIS</u> .	(2) <u>THEODORE PAPAGIANNIS</u> . (4) <u>RYAN SEVERSON</u> .							
Date of Interview: 03 May 2016.								
Type: 🔀 Telephonic 🔲 Video Conference 🔲 Personal [copy given to: 🔲 applicant 🔲 applicant's representative]								
Exhibit shown or demonstration conducted: Yes If Yes, brief description:	☑ No.							
Issues Discussed □101 □112 ☑102 ☑103 □Othe (For each of the checked box(es) above, please describe below the issue and details								
Claim(s) discussed: <u>2 and 14</u> .								
Identification of prior art discussed: Coleman et al. (US 200	<u>1/0049511 A1)</u> .							
Substance of Interview (For each issue discussed, provide a detailed description and indicate if agreement reference or a portion thereof, claim interpretation, proposed amendments, argume		entification or clarificat	ion of a					
The Examiner and the Applicant's representatives agreed to would overcome the rejections from the previous Office Action (attached) would be made to both independent claims 2 and Examiner. No allowable subject matter was agreed upon	on. The Applicant stated that t	he proposed ame	endment					
Examiner. No allowable subject matter was agreed upon .								
Applicant recordation instructions: The formal written reply to the last Office action must include the substance of the interview. (See MPEP section 713.04). If a reply to the last Office action has already been filed, applicant is given a non-extendable period of the longer of one month or thirty days from this interview date, or the mailing date of this interview summary form, whichever is later, to file a statement of the substance of the interview								
Examiner recordation instructions : Examiners must summarize the substance of any interview of record. A complete and proper recordation of the substance of an interview should include the items listed in MPEP 713.04 for complete and proper recordation including the identification of the general thrust of each argument or issue discussed, a general indication of any other pertinent matters discussed regarding patentability and the general results or outcome of the interview, to include an indication as to whether or not agreement was reached on the issues raised.								
/RYAN J. SEVERSON/ Primary Examiner, Art Unit 3731	/C. K./ Examiner, Art Unit 3731							

Case 2:20-cv-06082-GRB-ST Document 69-3 Filed 06/21/22 Page 253 of 363 PageID #: Summary of Record affliction Requirements

Manual of Patent Examining Procedure (MPEP), Section 713.04, Substance of Interview Must be Made of Record

A complete written statement as to the substance of any face-to-face, video conference, or telephone interview with regard to an application must be made of record in the application whether or not an agreement with the examiner was reached at the interview.

Title 37 Code of Federal Regulations (CFR) § 1.133 Interviews

Paragraph (b)

In every instance where reconsideration is requested in view of an interview with an examiner, a complete written statement of the reasons presented at the interview as warranting favorable action must be filed by the applicant. An interview does not remove the necessity for reply to Office action as specified in §§ 1.111, 1.135. (35 U.S.C. 132)

37 CFR §1.2 Business to be transacted in writing.

All business with the Patent or Trademark Office should be transacted in writing. The personal attendance of applicants or their attorneys or agents at the Patent and Trademark Office is unnecessary. The action of the Patent and Trademark Office will be based exclusively on the written record in the Office. No attention will be paid to any alleged oral promise, stipulation, or understanding in relation to which there is disagreement or doubt.

The action of the Patent and Trademark Office cannot be based exclusively on the written record in the Office if that record is itself incomplete through the failure to record the substance of interviews.

It is the responsibility of the applicant or the attorney or agent to make the substance of an interview of record in the application file, unless the examiner indicates he or she will do so. It is the examiner's responsibility to see that such a record is made and to correct material inaccuracies which bear directly on the question of patentability.

Examiners must complete an Interview Summary Form for each interview held where a matter of substance has been discussed during the interview by checking the appropriate boxes and filling in the blanks. Discussions regarding only procedural matters, directed solely to restriction requirements for which interview recordation is otherwise provided for in Section 812.01 of the Manual of Patent Examining Procedure, or pointing out typographical errors or unreadable script in Office actions or the like, are excluded from the interview recordation procedures below. Where the substance of an interview is completely recorded in an Examiners Amendment, no separate Interview Summary Record is required.

The Interview Summary Form shall be given an appropriate Paper No., placed in the right hand portion of the file, and listed on the "Contents" section of the file wrapper. In a personal interview, a duplicate of the Form is given to the applicant (or attorney or agent) at the conclusion of the interview. In the case of a telephone or video-conference interview, the copy is mailed to the applicant's correspondence address either with or prior to the next official communication. If additional correspondence from the examiner is not likely before an allowance or if other circumstances dictate, the Form should be mailed promptly after the interview rather than with the next official communication.

The Form provides for recordation of the following information:

- Application Number (Series Code and Serial Number)
- Name of applicant
- Name of examiner
- Date of interview
- Type of interview (telephonic, video-conference, or personal)
- Name of participant(s) (applicant, attorney or agent, examiner, other PTO personnel, etc.)
- An indication whether or not an exhibit was shown or a demonstration conducted
- An identification of the specific prior art discussed
- An indication whether an agreement was reached and if so, a description of the general nature of the agreement (may be by attachment of a copy of amendments or claims agreed as being allowable). Note: Agreement as to allowability is tentative and does not restrict further action by the examiner to the contrary.
- The signature of the examiner who conducted the interview (if Form is not an attachment to a signed Office action)

It is desirable that the examiner orally remind the applicant of his or her obligation to record the substance of the interview of each case. It should be noted, however, that the Interview Summary Form will not normally be considered a complete and proper recordation of the interview unless it includes, or is supplemented by the applicant or the examiner to include, all of the applicable items required below concerning the substance of the interview.

A complete and proper recordation of the substance of any interview should include at least the following applicable items:

- 1) A brief description of the nature of any exhibit shown or any demonstration conducted,
- 2) an identification of the claims discussed,
- 3) an identification of the specific prior art discussed,
- 4) an identification of the principal proposed amendments of a substantive nature discussed, unless these are already described on the Interview Summary Form completed by the Examiner.
- 5) a brief identification of the general thrust of the principal arguments presented to the examiner,
 - (The identification of arguments need not be lengthy or elaborate. A verbatim or highly detailed description of the arguments is not required. The identification of the arguments is sufficient if the general nature or thrust of the principal arguments made to the examiner can be understood in the context of the application file. Of course, the applicant may desire to emphasize and fully describe those arguments which he or she feels were or might be persuasive to the examiner.)
- 6) a general indication of any other pertinent matters discussed, and
- 7) if appropriate, the general results or outcome of the interview unless already described in the Interview Summary Form completed by the examiner.

Examiners are expected to carefully review the applicant's record of the substance of an interview. If the record is not complete and accurate, the examiner will give the applicant an extendable one month time period to correct the record.

Examiner to Check for Accuracy

If the claims are allowable for other reasons of record, the examiner should send a letter setting forth the examiner's version of the statement attributed to him or her. If the record is complete and accurate, the examiner should place the indication, "Interview Record OK" on the paper recording the substance of the interview along with the date and the examiner's initials.

KMOB OC



KNOBBE, MARTENS, OLSON & BEAR, LLP

2040 Main St., 14th Fl., Irvine, CA 92614 T (949) 760-0404

Theodore G. Papagiannis Theodore.Papagiannis@knobbe.com

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To:

Examiners Christian Knauss & Ryan Severson

FIRM:

U.S. Patent and Trademark Office

FACSIMILE No.:

571 273-8641

OUR REF.:

EDGE.005C2 & EDGE.005C4

APPLICATION NO.

14/698,673 & 14/700789

FROM:

Ted G. Papagiannis

OPERATOR:

Janet Teeters

No. Of Pages: 3

(incl. cover sheet)

DATE:

May 3, 2016

TIME: 7:40 AM PST

IF YOU DID NOT RECEIVE ALL OF THE PAGES PLEASE CALL BACK IMMEDIATELY

OPERATOR PHONE No.: (949) 760-0404

FACSIMILE No.: (949) 760-9502

MESSAGE: Dear Examiner Knauss,

Please find the attached agenda to facilitate our upcoming Interview for U.S. Pat. Appl. No. 14/698,673. My colleague, Mason Marks, and I will call you at 2 pm Eastern. Please note that, in view of the progress made during the previous Interview, we do not plan to discuss any new issues related to U.S. Pat. Appl. No. 14/700,789 – we plan to briefly reiterate the agreed-to strategy that will advance the case and overcome the rejections in the pending Office Action. We look forward to talking to you again. Thank you.

Ted Papagiannis

knobbe.com

Orange County San Diego

San Francisco

Silicon Valley

Los Angeles

Seattle

Washington DC

Case 2:20-cv-06082-GRB-ST Document 69-3 Filed 06/21/22 Page 255 of 363 PageID #: 4748

Interview Agenda for U.S. Appl. No. 14/698,673

(for discussion purposes only)

General Details

- Date/Time: Tuesday, May 3, 2016 at 2 pm Eastern (11 am Pacific)
- **Participants**: Examiners Christian D. Knauss & Ryan Severson, and representatives for Applicant, Theodore G. Papagiannis & Mason M. Marks.
- **Method/Details**: the Interview will be conducted telephonically (Applicant's representatives will call Examiner Knauss at his direct line (571-272-8641)

Comments

Applicant's representative would like to discuss the various rejections raised in the Office Action mailed on March 7, 2016 (the "Office Action"), including:

- The claim objections and rejections
- The anticipation/obviousness rejections of the claims
- The references cited in the Office Action, including U.S. Publ. No. 2001/0049511 to Coleman et al. and U.S. Publ. No. 2003/0093089 to Greenberg.

Applicant's representative would like to discuss the 35 USC §103 rejections presented in the Office Action. For example, although Applicant does not acquiesce to the rejections in the Office Action, one option for overcoming the rejections includes one or more of the amendments provided below (to Claim 2). The contemplated clarifying amendments to Claim 2 are provided simply for discussion purposes to facilitate the Interview, at the Examiner's request, and are not intended to limit the scope of the subject matter disclosed and/or claimed within the present application.

2. (Possible Amendment) A system for performing a skin treatment procedure, the system comprising:

a console including a manifold, the manifold being in fluid communication with a first fluid container and at least a second fluid container, the first fluid container and the at least the second fluid container being configured to contain a treatment material for a skin treatment procedure, wherein the treatment material comprises a liquid;

a handpiece assembly comprising a tip, the tip being configured to contact a skin surface of a subject;

a supply conduit placing the manifold of the console in fluid communication with the handpiece assembly, wherein a distal end of the supply conduit is configured to couple to the handpiece assembly; Case 2:20-cv-06082-GRB-ST Document 69-3 Filed 06/21/22 Page 256 of 363 PageID #:

wherein the manifold is configured to control a flow of treatment material from the first fluid container and at least the second fluid container through the supply conduit; and

a vacuum source;

a waste conduit in fluid communication with the tip of the handpiece assembly to remove waste away from a skin surface of a subject during a skin treatment procedure, wherein the waste conduit is operatively coupled to the [[a]]vacuum source; and

a user input device for receiving instructions from a user;

wherein the system is configured to permit a user to select the treatment material from the first fluid container or the at least second fluid container to be delivered through the supply conduit to the handpiece assembly[[,]]; and

wherein, when the vacuum source is activated and the tip contacts the skin surface, a suction force is created within the waste conduit and along the tip, thereby removing waste from the skin surface via the waste conduit while drawing treatment material from the first fluid container or the second fluid container to the tip via the supply conduit.

23251982

Doc code: CRSEX 2:20-cv-06082-GRB-ST Document 69-3 Filed 06/21/22 Page 257 of 363 Page D#:

Doc description: Request for Continued Examination (RCE)

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Application Number	14698673	Filing Date	2015-04-28	Docket Number (if applicable)	EDGE.005C2	Art Unit	3731	
First Named Inventor	Roger Ignon et al	- I.		Examiner Name	Christian D. Knauss			
Request for Co 1995, to any in	This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application. Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, to any international application that does not comply with the requirements of 35 U.S.C. 371, or to any design application. The Instruction Sheet for this form is located at WWW.USPTO.GOV.							
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⊠ Am	nendment/Reply							
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l' `	Practitioner Signa	ature						
Applica	ant Signature							

Doc code: CRSEX2:20-cv-06082-GRB-ST Document 69-3 Filed 06/21/22 Page 258 of 363 Page D# #50EFS (07-14)

Doc description: Request for Continued Examination (RCE)

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	Signature of Registered U.S. Patent Practitioner						
Signature	Theodore G. Papagiannis/	Date (YYYY-MM-DD)	2016-08-08				
Name	Theodore G. Papagiannis	Registration Number	61546				

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450.

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- 6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
- 7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (i.e., GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
- 8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspections or an issued patent.
- 9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.

EDGE.005C2 PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Ignon et al.

App. No : 14/698,673

Filed : April 28, 2015

For : CONSOLE SYSTEM FOR THE

TREATMENT OF SKIN

Examiner : Christian D. Knauss

Art Unit : 3731

Conf No. : 7926

AMENDMENT ACCOMPANYING REQUEST FOR CONTINUED EXAMINATION

Mail Stop RCE

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Dear Sir:

This response is being filed after the Office Action mailed on March 7, 2016 (the "Office Action") and is accompanied by a Request for Continued Examination ("RCE").

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Summary of Interview begins on page 6 of this paper.

Remarks begin on page 7 of this paper.

AMENDMENTS TO THE CLAIMS

The following listing of claims replaces all prior versions and listings of claims in the application. The listing of claims presents each claim with its respective status shown in parentheses.

1. (Canceled)

2. (*Currently Amended*) A system for performing a skin treatment procedure, the system comprising:

a console including a manifold, the manifold being in fluid communication with a first fluid container and at least a second fluid container, the first fluid container and the at least the second fluid container being configured to contain a treatment material for a skin treatment procedure, wherein the treatment material comprises a liquid;

a handpiece assembly comprising a tip, the tip being configured to contact a skin surface of a subject;

a supply conduit placing the manifold of the console in fluid communication with the handpiece assembly, wherein a distal end of the supply conduit is configured to couple to the handpiece assembly;

wherein the manifold is configured to control a flow of treatment material from the first fluid container and at least the second fluid container through the supply conduit; and

a vacuum source;

a waste conduit in fluid communication with the tip of the handpiece assembly to remove waste away from a skin surface of a subject during a skin treatment procedure, wherein the waste conduit is operatively coupled to the [[a]]vacuum source; and

a user input device for receiving instructions from a user;

wherein the system is configured to permit a user to select the treatment material from the first fluid container or the at least second fluid container to be delivered through the supply conduit to the handpiece assembly[[.]]; and

wherein, when the vacuum source is activated and the tip contact the skin surface, a suction force is created within the waste conduit and along the tip, thereby removing waste from the skin surface via the waste conduit while drawing treatment material from the first fluid container or the second fluid container to the tip via the supply conduit.

- 3. (Canceled)
- 4. (*Currently Amended*) The system of Claim 2, wherein the console comprises a display, wherein the display comprises a user input device to facilitate controlling a flow of treatment materials from the first fluid container or the at least a second fluid container at least one fluid container to the handpiece assembly.
- 5. (*Previously Presented*) The system of Claim 4, wherein the user input device comprises a touch screen.
- 6. (*Currently Amended*) The system of Claim 2, wherein the <u>first fluid container or</u> the at least a second fluid container at least one fluid container is releasably coupled to the manifold.
 - 7. (Canceled)
- 8. (*Previously Presented*) The system of Claim 2, wherein the manifold is configured to be placed in fluid communication with at least four fluid containers.
- 9. (*Currently Amended*) The system of Claim 2[[1]], wherein treatment materials from the first fluid container and at least the second fluid container are delivered to the supply conduit sequentially or simultaneously.
 - 10. (Previously Presented) The system of Claim 2, wherein the console is movable.
- 11. (*Previously Presented*) The system of Claim 2, wherein the tip of the handpiece assembly is configured to exfoliate skin tissue as the handpiece assembly is moved relative to a skin surface of a subject.
- 12. (*Previously Presented*) The system of Claim 2, wherein each of the supply conduit and the waste conduit connects to a corresponding connector along a proximal end of the handpiece assembly.
- 13. (*Previously Presented*) The system of Claim 2, wherein the manifold of the console is configured to be placed in fluid communication with a container comprising an antimicrobial fluid or other disinfecting agent for periodic flushing of the manifold.

14. (*Currently Amended*) A system for performing a skin treatment procedure, the system comprising:

a manifold in fluid communication with at least two fluid containers, each of the at least two fluid containers being configured to contain a treatment material, wherein the treatment material comprises a liquid;

a handpiece assembly comprising a tip, the tip being configured to contact a skin surface of a subject; and

a supply conduit placing the manifold in fluid communication with the handpiece assembly, wherein a distal end of the supply conduit is configured to secure to the handpiece assembly; and

a vacuum source; and

a waste conduit in fluid communication with the handpiece assembly to remove waste from a skin surface of a subject during a procedure, wherein the waste conduit is operatively coupled to the vacuum source;

wherein the manifold is configured to control a flow of treatment material from each of the at least two fluid containers through the supply conduit;

wherein the system is configured to permit a user to select the fluid container from which treatment material is delivered to the supply conduit.

- 15. (Canceled)
- 16. (*Previously Presented*) The system of Claim 14, further comprising a user input device for selecting a treatment material to be passed through the supply conduit to the handpiece assembly.
- 17. (*Currently Amended*) The system of Claim 14, wherein the system console comprises a display, wherein the display comprises a user input device to facilitate controlling a flow of treatment materials from the at least two fluid containers at least one fluid container.
- 18. (*Previously Presented*) The system of Claim 17, wherein the user input device comprises a touch screen.
- 19. (*Currently Amended*) The system of Claim 14, wherein the <u>at least two fluid</u> containers at least one fluid container is releasably coupled to the manifold.

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Application No.: 14/698,673 Filing Date: April 28, 2015

20. (*Previously Presented*) The system of Claim 14, wherein the tip of the handpiece assembly is configured to exfoliate skin tissue as the handpiece assembly is moved relative to a skin surface of a subject.

21. (*Previously Presented*) The system of Claim 14, wherein the manifold is configured to be placed in fluid communication with a container comprising an antimicrobial fluid or other disinfecting agent for periodic flushing of the manifold.

SUMMARY OF INTERVIEW

Applicant thanks Examiners Knauss and Severson for their time and the courtesies extended during the Interview of May 3, 2016.

Attendees, Date and Type of Interview

The Interview was conducted telephonically on May 3, 2016, and was attended by Examiners Christian Knauss and Ryan Severson, and attorneys for Applicant, Theodore G. Papagiannis and Mason Marks.

Exhibits and/or Demonstrations

None.

Identification of Claims Discussed

The pending claims, including independent Claims 2 and 14.

<u>Identification of References Discussed</u>

U.S. Patent Publication No. 2001/0049511 to Coleman et al. ("Coleman").

Proposed Amendments, Principal Arguments, Other Matters and Results of Interview

The Examiners and applicant's attorneys discussed the rejections presented in the Office Action in view of Coleman and the pending claims. Agreement was reached that clarifying amendments similar or identical to those presented herein would overcome the present rejections. The Examiners indicated that an updated search would be required.

REMARKS

The foregoing amendments and the following remarks are responsive to the Office Action and pursuant to the Interview of May 3, 2016. Claims 2, 4 to 6 and 8 to 21 are currently pending in this application. As indicated in the foregoing listing of claims and discussed in greater detail below, Applicant is presenting clarifying amendments herein to independent Claims 2 and 14, as well as to certain dependent claims. Further, Claim 15 is canceled without prejudice herein. These amendments are presented pursuant to the Interview of May 3, 2016 and are being made to advance prosecution and to further clarify the present claims from the cited art. Applicant does not acquiesce to the rejections included in the Office Action as a result of the amendments to the claims herein. Applicant submits that no new matter is added by the foregoing clarifying claim amendments. Accordingly, Claims 2, 4 to 6, 8 to 14 and 16 to 21 are presented for further consideration. As noted above, this amendment and response is accompanied by a RCE.

Claim Objections

In the Office Action, Claim 9 is objected to due to certain informalities. Specifically, Claim 9 was inadvertently dependent on Claim 1. In the view of the clarifying amendment to Claim 9 presented herein, Applicant submits that this objection is now moot and should be withdrawn.

Claim Rejections under 35 U.S.C. §112

According to the Office Action, Claims 4 to 6 and 17 to 19 stand rejected under 35 U.S.C. §112, second paragraph as being indefinite. Applicant respectfully disagrees with and traverses this rejection. However, in order to advance prosecution and to expedite the allowance of the present application, Applicant is incorporating certain clarifying amendments herein to Claims 4, 6, 17 and 19 to address this rejection. In view of the foregoing clarifying amendments, Applicant submits that these rejections are now moot and should be withdrawn.

Claim Rejections under 35 U.S.C. §102 & §103

In addition, Claims 2, 4, 6, 8 to 12, 14 to 17, 19 and 20 stand rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Publication No. 2001/0049511 to Coleman et al. ("Coleman") in view of U.S. Publication No. 2003/0093089 to Greenberg ("Greenberg").

Further, Claims 5 and 18 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Coleman in view of Greenberg and U.S. Publication No. 2003/0018252 to Duchon et al. Finally, Claims 13 and 21 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Coleman in view of U.S. Patent No. 3,865,352 in view of Nelson et al. or Coleman and Greenberg.

Applicant respectfully disagrees with and traverses the anticipation and obviousness rejections presented in the Office Action. As discussed during the Interview of May 3, 2016, Applicant submits that the cited references fail to teach or suggest each and every limitation of the claims, as amended herein. Pursuant to the Interview, Applicant submits that the pending claims are novel, non-obvious and otherwise patentable over Coleman, Greenberg and other references of record, either alone or in combination with one another or any other reference. In addition, the dependent claims are distinguished over the cited art in view of additional language included therein. Accordingly, Applicant requests that the anticipation and obviousness rejections presented in the Office Action be withdrawn.

Applicant respectfully asserts that the present application is in condition for allowance. If any issues remain, the Examiner is respectfully requested to contact the undersigned.

No Disclaimers or Disavowals

Although the present communication may include alterations to the application or claims, or characterizations of claim scope or referenced art, Applicant is not conceding in this application that previously pending claims are not patentable over the cited references. Rather, any alterations or characterizations are being made to facilitate expeditious prosecution of this application. Applicant reserves the right to pursue at a later date any previously pending or other broader or narrower claims that capture any subject matter supported by the present disclosure, including subject matter found to be specifically disclaimed herein or by any prior prosecution. Accordingly, reviewers of this or any parent, child or related prosecution history shall not reasonably infer that Applicant has made any disclaimers or disavowals of any subject matter supported by the present application.

Table of U.S. Patents and Applications

Applicant provides the following table to aid the Examiner during prosecution. The following U.S. patents and/or patent applications are in the same patent family as the present application.

Attorney Docket		App. No.		
No.	Country	(Pat. No., if appl.)	Filing Date	Title
EDGE.004A	US	09/648,025	Aug. 25, 2000	INSTRUMENTS AND TECHNIQUES FOR
		(Pat. No. 6,641,591)		CONTROLLED REMOVAL OF EPIDERMAL LAYERS
EDGE.004C1	US	10/699,747	Nov. 3, 2003	INSTRUMENTS AND TECHNIQUES FOR CONTROLLED REMOVAL OF EPIDERMAL LAYERS
		(Pat. No. 7,789,886) 11/739,615		
EDGE.004C1DV1	US	(Pat. No. 8,337,513)	Apr. 24, 2007	INSTRUMENTS AND TECHNIQUES FOR CONTROLLED REMOVAL OF EPIDERMAL LAYERS
		11/417,709		INSTRUMENTS AND TECHNIQUES FOR
EDGE.004C2	US	(Pat. No. 8,066,716)	May 3, 2006	CONTROLLED REMOVAL OF EPIDERMAL LAYERS
ED GE 004G2	***	11/417,396	2 2006	INSTRUMENTS AND TECHNIQUES FOR
EDGE.004C3	US	(Pat. No. 7,678,120)	May 3, 2006	CONTROLLED REMOVAL OF EPIDERMAL LAYERS
EDGE.004C4	US	13/620,164	Sep. 14, 2012	INSTRUMENTS AND TECHNIQUES FOR
EDGE.004C4	0.5	13/020,104	Sep. 14, 2012	CONTROLLED REMOVAL OF EPIDERMAL LAYERS
EDGE.004C5	US	14/702,509	May 1, 2015	DEVICES AND SYSTEMS FOR TREATING THE SKIN
				USING VACUUM METHODS FOR TREATING THE SKIN USING
EDGE.004C6	US	14/702,486	May 1, 2015	VACUUM
ED CE OOC A	110	11/392,348	M 20 2006	APPARATUS AND METHODS FOR TREATING THE
EDGE.005A	US	(Pat. No. 8,048,089)	Mar. 29, 2006	SKIN
EDGE.005C1	US	13/267,554	Oct. 6, 2011	REMOVABLE TIPS FOR SKIN TREATMENT SYSTEMS
EDGE.005C2	US	14/698,673	Apr. 28, 2015	CONSOLE SYSTEM FOR THE TREATMENT OF
		(present application)	-	SKIN METHODS AND SYSTEMS FOR EXTRACTION OF
EDGE.005C3	US	14/698,713	Apr. 28, 2015	MATERIALS FROM SKIN
EDGE 005G4	TIC	14/700 700	A 20 2015	TIP WITH EMBEDDED MATERIALS FOR SKIN
EDGE.005C4	US	14/700,789	Apr. 30, 2015	TREATMENT
	US	09/294,254	Apr. 19, 1999	INSTRUMENTS AND TECHNIQUES FOR HIGH-
EDGE.006A		(Pat. No. 6,162,232)		VELOCITY FLUID ABRASION OF EPIDERMAL
		09/475480		LAYERS WITH SKIN COOLING INSTRUMENTS AND TECHNIQUES FOR INDUCING
EDGE.007A	US	(Pat. No. 6,299,620)	Dec. 30, 1999	NEOCOLLAGENESIS IN SKIN TREATMENTS
		09/475479		INSTRUMENTS AND TECHNIQUES FOR INDUCING
EDGE.008A	US	(Pat. No. 6,387,103)	Dec. 30, 1999	NEOCOLLAGENESIS IN SKIN TREATMENTS
EDGE.022A	US	11/370,200	Mar. 7, 2006	MICRODERMABRASION METHOD AND APPARATUS
ED CE 0444		12/362,353	1 20 2000	APPARATUS AND METHOD FOR TREATING THE
EDGE.044A	US	(Pat. No. 9,056,193)	Jan. 29, 2009	SKIN
EDGE.044C1	US	14/734,995	Jun. 9, 2015	DEVICES AND SYSTEMS FOR TREATING SKIN
EDGE.044C1		, , , , , , , , , , , , , , , , , , ,	Jun. 9, 2013	SURFACES
EDGE.044CP1	US	12/832,663	Jul 8, 2010	DEVICES, SYSTEMS AND METHODS FOR TREATING
		(Pat. No. 8,814,836)		THE SKIN USING TIME-RELEASE SUBSTANCES
EDGE.044P1C1	US	14/455,762	Aug. 8, 2014	DEVICES FOR TREATING SKIN USING TREATMENT MATERIALS LOCATED ALONG A TIP
		12/346,582	_	APPARATUS AND METHOD FOR TREATING THE
EDGE.047A	US	(Pat. No. 8,343,116)	Dec. 30, 2008	SKIN
EDGE.047C1	US	13/620,376	Sep. 14, 2012	MICRODERMABRASION APPARATUS AND METHOD

Attorney Docket		App. No.		
No.	Country	(Pat. No., if appl.)	Filing Date	Title
EDGE.050A	US	09/540,945 (Pat. No. 6,592,595)	Mar. 31, 2000	MICRODERMABRASION AND SUCTION MASSAGE APPARATUS AND METHOD
EDGE.050C1	US	09/698,409 (Pat. No. 6,527,783)	Oct. 27, 2000	MICRODERMABRASION AND SUCTION MASSAGE APPARATUS AND METHOD
EDGE.050DV1	US	10/177,173 (Pat. No. 6,673,082)	Jun. 20, 2002	MICRODERMABRASION HANDPIECE WITH SUPPLY AND RETURN LUMENS
EDGE.051A	US	10/315,478 (Pat. No. 6,942,649)	Dec. 10, 2002	MICRODERMABRASION FLUID APPLICATION SYSTEM AND METHOD
EDGE.052A	US	09/699,220 (Pat. No. 6,629,983)	Oct. 27, 2000	APPARATUS AND METHOD FOR SKIN/SURFACE ABRASION
EDGE.065A	US	14/211,089	Mar. 14, 2014	SKIN TREATMENT SYSTEMS AND METHODS USING NEEDLES
EDGE.077A	US	14/211,290	Mar. 14, 2014	DEVICES, SYSTEMS AND METHODS FOR TREATING THE SKIN
EDGE.077NP	US	14/774641	Sep. 10, 2015	DEVICES, SYSTEMS AND METHODS FOR TREATING THE SKIN
EDGE.090A	US	14/998,375	Dec. 23, 2015	DEVICES AND METHODS FOR TREATING THE SKIN USING A ROLLERBALL OR A WICKING MEMBER
EDGE.091A	US	15/204,939	Jul. 7, 2016	DEVICES, SYSTEMS AND METHODS FOR PROMOTING HAIR GROWTH

Copies of these patents and patent applications, including any pending claims, office actions, allowances and/or other communications, are available through PALM and/or PAIR. However, if the Examiner so requests, Applicant will be happy to provide the Examiner with copies of any applications, pending claims, office actions, allowances, communications or any other documents, at any time.

Further, Applicant notes for the record that the claims of the present application are different and may be broader in scope than the claims in any related patent or application. To the extent that any statements made in a related case (such as amendments or characterizations regarding the scope of a claim or prior art) could be construed as a disclaimer of any subject matter supported by the present disclosure, Applicant rescinds and retracts such disclaimer. Accordingly, any listed or referenced prior art may need to be re-visited. Further, any objections or rejections made by the Examiner in the issued and allowed cases identified above may need to be re-visited.

Case 2:20-cv-06082-GRB-ST Document 69-3 Filed 06/21/22 Page 270 of 363 PageID #:

Application No.: 14/698,673 Filing Date: April 28, 2015

CONCLUSION

In view of the foregoing amendments and remarks, Applicant respectfully submits that the claims are now in condition for allowance. Accordingly, Applicant respectfully requests reconsideration of the claims in light of the foregoing amendments and remarks. As noted above, this response is accompanied by a Request for Continued Examination.

Applicant has made a good faith effort to place the application in condition for immediate allowance. Nevertheless, if any issues remain or otherwise require clarification, the Examiner is respectfully requested to contact Applicant's attorney at the below-listed telephone number to promptly resolve such issues.

Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: August 5, 2016 By:/Theodore G. Papagiannis/

Theodore G. Papagiannis Registration No. 61,546 Attorney of Record Customer No. 20995 (949) 760-0404

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Doc **Codes** PA20-cv-06082-GRB-ST Document 69-3 Filed 06/21/22 Page 271 of 363 Page ID #:

PTO/AIA/82A (07-13)

Approved for use through 11/30/2014. OMB 0651-0051

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Application Number		14/698,673				
Filing Date		April 28, 2015				
First Named Inventor		Roger Ignon et al.				
Title		CONSOLE SYSTEM FOR THE TREATMENT OF SKIN				
Art Unit		3731				
Examiner Name		Christian D. Knauss				
Attorney Docket N	lumber	EDGE.005C2				
SIGNATU	RE of A	oplicant or Pater	nt Practitioner			
Signature	/Theod	dore G. Papa	giannis/	Date (Optional)		
Name	Theodor	e G. Papagiannis	5	Registration Number	61,546	
Title (if Applicant is a juristic entity)						
Applicant Name (if Applicant is a juri		uristic entity)				
NOTE: This form mus more than one applica			CFR 1.33. See 37 CFR 1.4(d) fo	or signature requir	rements and certifications. If	
*Total of <u>1</u>	1	forms are submitted.				

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Doc Code: PA.,

Document Description: Power of Attorney

PTO/AIA/82B (07-13) Approved for use through 11/30/2014. OMB 0651-0051 U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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POWER OF ATTORNEY BY APPLICANT

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I am the	: Applicant (if the /	Applicant is a juristic entity, list the	e Applicant name	in the box):			
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Edg	je Systen	ns LLC					
	Inventor or Joint	Inventor (title not required below)				
	Legal Represent	ative of a Deceased or Legally In	capacitated Inve	ntor (title not re	equired below)		
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		SIGNAT	URE of Applica	nt for Patent			
The	undersigned (whos	e title is supplied below) is authoriz	ed to act op beha	f of the applica	nt (e.g., where t	he applicar	nt is a juristic entity).
Sign	ature	William	Cohen	Date ((Optional)	4.6.	16
Nam	e	William Cohen		•			
Title		President					
		s form must be signed by the applicate than one applicant, use multiple		with 37 CFR 1	.33. See 37 CFI	R 1.4 for si	gnature requirements
Tota		forms are submitted.					

This collection of Information Is required by 37 CFR 1.131, 1.32, and 1.33. The information Is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 3 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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The **Privacy Act of 1974 (P.L. 93-579)** requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

The information provided by you in this form will be subject to the following routine uses:

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- 5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
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- 7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (i.e., GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
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- A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.

Docket No.: EDGE.005C2 Customer No. 20995

INFORMATION DISCLOSURE STATEMENT

Inventor : Ignon et al.

Appl. No. : 14/698,673

Filed : April 28, 2015

For : CONSOLE SYSTEM FOR THE TREATMENT

OF SKIN

Examiner : Christian D. Knauss

Art Unit : 3731

Conf. No. : 7926

Mail Stop Amendment

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

References and Listing

Pursuant to 37 CFR 1.56, an Information Disclosure Statement listing references is provided herewith. Copies of any listed foreign and non-patent literature references are being submitted. Identification herein is not an admission that any of the references are prior art to the above captioned application.

Related Applications of Assignee

Applicant wishes to draw the Examiner's attention to the following patents and/or applications in the same patent family as the present application.

Attorney Docket		App. No.		
No.	Country	(Pat. No., if appl.)	Filing Date	Title
EDGE.004A	US	09/648,025 (Pat. No. 6,641,591)	Aug. 25, 2000	INSTRUMENTS AND TECHNIQUES FOR CONTROLLED REMOVAL OF EPIDERMAL LAYERS
EDGE.004C1	US	10/699,747 (Pat. No. 7,789,886)	Nov. 3, 2003	INSTRUMENTS AND TECHNIQUES FOR CONTROLLED REMOVAL OF EPIDERMAL LAYERS
EDGE.004C1DV1	US	11/739,615 (Pat. No. 8,337,513)	Apr. 24, 2007	INSTRUMENTS AND TECHNIQUES FOR CONTROLLED REMOVAL OF EPIDERMAL LAYERS
EDGE.004C2	US	11/417,709 (Pat. No. 8,066,716)	May 3, 2006	INSTRUMENTS AND TECHNIQUES FOR CONTROLLED REMOVAL OF EPIDERMAL LAYERS
EDGE.004C3	US	11/417,396 (Pat. No. 7,678,120)	May 3, 2006	INSTRUMENTS AND TECHNIQUES FOR CONTROLLED REMOVAL OF EPIDERMAL LAYERS
EDGE.004C4	US	13/620,164	Sep. 14, 2012	INSTRUMENTS AND TECHNIQUES FOR CONTROLLED REMOVAL OF EPIDERMAL LAYERS

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Application No.: 14/698,673
Filing Date: April 28, 2015

Attorney Docket		App. No.	F300	
No.	Country	(Pat. No., if appl.)	Filing Date	Title
EDGE.004C5	US	14/702,509	May 1, 2015	DEVICES AND SYSTEMS FOR TREATING THE SKIN USING VACUUM
EDGE.004C6	US	14/702,486	May 1, 2015	METHODS FOR TREATING THE SKIN USING VACUUM
EDGE.005A	US	11/392,348 (Pat. No. 8,048,089)	Mar. 29, 2006	APPARATUS AND METHODS FOR TREATING THE SKIN
EDGE.005C1	US	13/267,554	Oct. 6, 2011	REMOVABLE TIPS FOR SKIN TREATMENT SYSTEMS
EDGE.005C2	US	14/698,673 (present application)	Apr. 28, 2015	CONSOLE SYSTEM FOR THE TREATMENT OF SKIN
EDGE.005C3	US	14/698,713	Apr. 28, 2015	METHODS AND SYSTEMS FOR EXTRACTION OF MATERIALS FROM SKIN
EDGE.005C4	US	14/700,789	Apr. 30, 2015	TIP WITH EMBEDDED MATERIALS FOR SKIN TREATMENT
EDGE.006A	US	09/294,254 (Pat. No. 6,162,232)	Apr. 19, 1999	INSTRUMENTS AND TECHNIQUES FOR HIGH- VELOCITY FLUID ABRASION OF EPIDERMAL LAYERS WITH SKIN COOLING
EDGE.007A	US	09/475480 (Pat. No. 6,299,620)	Dec. 30, 1999	INSTRUMENTS AND TECHNIQUES FOR INDUCING NEOCOLLAGENESIS IN SKIN TREATMENTS
EDGE.008A	US	09/475479 (Pat. No. 6,387,103)	Dec. 30, 1999	INSTRUMENTS AND TECHNIQUES FOR INDUCING NEOCOLLAGENESIS IN SKIN TREATMENTS
EDGE.022A	US	11/370,200	Mar. 7, 2006	MICRODERMABRASION METHOD AND APPARATUS
EDGE.044A	US	12/362,353 (Pat. No. 9,056,193)	Jan. 29, 2009	APPARATUS AND METHOD FOR TREATING THE SKIN
EDGE.044C1	US	14/734,995	Jun. 9, 2015	DEVICES AND SYSTEMS FOR TREATING SKIN SURFACES
EDGE.044CP1	US	12/832,663 (Pat. No. 8,814,836)	Jul 8, 2010	DEVICES, SYSTEMS AND METHODS FOR TREATING THE SKIN USING TIME-RELEASE SUBSTANCES
EDGE.044P1C1	US	14/455,762	Aug. 8, 2014	DEVICES FOR TREATING SKIN USING TREATMENT MATERIALS LOCATED ALONG A TIP
EDGE.047A	US	12/346,582 (Pat. No. 8,343,116)	Dec. 30, 2008	APPARATUS AND METHOD FOR TREATING THE SKIN
EDGE.047C1	US	13/620,376	Sep. 14, 2012	MICRODERMABRASION APPARATUS AND METHOD
EDGE.050A	US	09/540,945 (Pat. No. 6,592,595)	Mar. 31, 2000	MICRODERMABRASION AND SUCTION MASSAGE APPARATUS AND METHOD
EDGE.050C1	US	09/698,409 (Pat. No. 6,527,783)	Oct. 27, 2000	MICRODERMABRASION AND SUCTION MASSAGE APPARATUS AND METHOD
EDGE.050DV1	US	10/177,173 (Pat. No. 6,673,082)	Jun. 20, 2002	MICRODERMABRASION HANDPIECE WITH SUPPLY AND RETURN LUMENS
EDGE.051A	US	10/315,478 (Pat. No. 6,942,649)	Dec. 10, 2002	MICRODERMABRASION FLUID APPLICATION SYSTEM AND METHOD
EDGE.052A	US	09/699,220 (Pat. No. 6,629,983)	Oct. 27, 2000	APPARATUS AND METHOD FOR SKIN/SURFACE ABRASION
EDGE.065A	US	14/211,089	Mar. 14, 2014	SKIN TREATMENT SYSTEMS AND METHODS USING NEEDLES
EDGE.077A	US	14/211,290	Mar. 14, 2014	DEVICES, SYSTEMS AND METHODS FOR TREATING THE SKIN
EDGE.077NP	US	14/774641	Sep. 10, 2015	DEVICES, SYSTEMS AND METHODS FOR TREATING THE SKIN
EDGE.090A	US	14/998,375	Dec. 23, 2015	DEVICES AND METHODS FOR TREATING THE SKIN USING A ROLLERBALL OR A WICKING MEMBER
EDGE.091A	US	15/204,939	Jul. 7, 2016	DEVICES, SYSTEMS AND METHODS FOR PROMOTING HAIR GROWTH

Application No.:

14/698,673

Filing Date:

April 28, 2015

Copies of these patents and patent applications, including any pending claims, office

actions, allowances and/or other communications, are available through PALM and/or PAIR.

However, if the Examiner so requests, Applicant will be happy to provide the Examiner with

copies of any applications, pending claims, office actions, allowances, communications or any

other documents, at any time.

Further, Applicant notes for the record that the claims of the present application are

different and may be broader in scope than the claims in any related patent or application. To the

extent that any statements made in a related case (such as amendments or characterizations

regarding the scope of a claim or prior art) could be construed as a disclaimer of any subject

matter supported by the present disclosure, Applicant rescinds and retracts such disclaimer.

Accordingly, any listed or referenced prior art may need to be re-visited. Further, any objections

or rejections made by the Examiner in the issued and allowed cases identified above may need to

be re-visited.

Timing of Disclosure

This Information Disclosure Statement is being filed with an RCE and no fee is required.

However, the Commissioner is hereby authorized to charge any additional fees which may be

required, or credit any overpayment, to Account No. 11-1410.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: August 8, 2016

By:/Theodore G. Papagiannis/

Theodore G. Papagiannis Registration No. 61,546

Attorney of Record

Customer No. 20995

(949) 760-0404

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Case 2:20-cv-06082-GRB-ST Document 69-3 Filed 06/21/22 Page 277 of 363 PageID #: 4770

PTO/SB/08 Equivalent

	Application No.	14/698,673
INFORMATION DISCLOSURE	Filing Date	April 28, 2015
STATEMENT BY APPLICANT	First Named Inventor	Roger Ignon
STATEMENT BY ALT LICANT	Art Unit	3731
(Multiple sheets used when necessary)	Examiner	Christian D. Knauss
SHEET 1 OF 1	Attorney Docket No.	EDGE.005C2

	U.S. PATENT DOCUMENTS								
Examiner Initials	Cite No.	Document Number Number - Kind Code (if known) Example: 1,234,567 B1	Publication Date MM-DD-YYYY	Name	Pages, Columns, Lines Where Relevant Passages or Relevant Figures Appear				
	1	2008/0154161	06-26-2008	Abbott					
	2	2008/0208146	08-28-2008	Brandwein et al.					
	3	2016/0038183	02-11-2016	Ignon et al.					

	FOREIGN PATENT DOCUMENTS							
Examiner Initials	Cite No.	Foreign Patent Document Country Code-Number-Kind Code Example: JP 1234567 A1	Publication Date MM-DD-YYYY	Name	Pages, Columns, Lines Where Relevant Passages or Relevant Figures Appear	T ¹		

		NON PATENT LITERATURE DOCUMENTS	
Examiner Initials	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ¹

23960355

Examiner Signature Date Considered

^{*}Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Electronic Patent Application Fee Transmittal								
Application Number:	140	598673						
Filing Date:	28-	28-Apr-2015						
Title of Invention:	CONSOLE SYSTEM FOR THE TREATMENT OF SKIN							
First Named Inventor/Applicant Name:	Ro	ger Ignon						
Filer:	The	eodore G. Papagian	nis/janet teete	rs				
Attorney Docket Number:	ED	GE.005C2						
Filed as Small Entity								
Filing Fees for Utility under 35 USC 111(a)								
Description		Fee Code	Quantity	Amount	Sub-Total in USD(\$)			
Basic Filing:								
Pages:								
Claims:								
Miscellaneous-Filing:								
Petition:								
Patent-Appeals-and-Interference:								
Post-Allowance-and-Post-Issuance:								
Extension-of-Time:								

Case 2:20-cv-06082-GRB-ST Document 69 Description	9-3 Filed 06/2 ⁴⁷⁷² Fee Code	21/22 Pa (Quantity	ge 279 of 363 Amount	PageID #: Sub-Total in USD(\$)	
Extension - 2 months with \$0 paid	2252	1	300	300	
Miscellaneous:					
Request for Continued Examination	2801	1	600	600	
	Total in USD (\$) 900				

	nt 69-3 Filed 06/21/22 Page 280 of 363 PageID #:						
Electronic Acl	Electronic Acknowledgement Receipt						
EFS ID:	26580096						
Application Number:	14698673						
International Application Number:							
Confirmation Number:	7926						
Title of Invention:	CONSOLE SYSTEM FOR THE TREATMENT OF SKIN						
First Named Inventor/Applicant Name:	Roger Ignon						
Customer Number:	20995						
Filer:	Theodore G. Papagiannis/ThuyQuyen Nguyen						
Filer Authorized By:	Theodore G. Papagiannis						
Attorney Docket Number:	EDGE.005C2						
Receipt Date:	08-AUG-2016						
Filing Date:	28-APR-2015						
Time Stamp:	17:47:21						
Application Type:	Utility under 35 USC 111(a)						

Payment information:

Submitted with Payment	yes
Payment Type	CARD
Payment was successfully received in RAM	\$900
RAM confirmation Number	080916INTEFSW17475500
Deposit Account	2598
Authorized User	ThuyQuyen Nguyen

The Director of the USPTO is hereby authorized to charge indicated fees and credit any overpayment as follows:

37 CFR 1.16 (National application filing, search, and examination fees)

37 CFR 1.17 (Patent application and reexamination processing fees)

File Listing	j:								
Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)				
			1349922						
1	Request for Continued Examination (RCE)	EDGE-005C2_RCE.pdf	7fd64e3fdaad6bb38962da96d1126513389 c7e32	no	3				
Warnings:		!	-						
Information:									
			71587						
2		EDGE005C2_OAR.pdf	68bc8cf4e449910837a8cecdede071a1c4d 101c5	yes	11				
	Multipart Description/PDF files in .zip description								
	Document De	Start	End						
	Amendment Submitted/Entere	1	1						
	Claims	2	5						
	Applicant summary of inte	6	6						
	Applicant Arguments/Remarks	Made in an Amendment	7	11					
Warnings:									
Information:									
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3	Power of Attorney	EDGE-005C2_POA.PDF	8e9d8d4195fac7f81fc84eeed8206fdb8f355 e85	no	3				
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Case 2:20-cv-06082-GRB-ST Document 69-3 Filed 06/21/22 Page 281 of 363 PageID #: 4774

		Total Files Size (in bytes):	179	94640	
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Case 2.2	0-cv-06082-GRB-ST Docum	4775	22 Page 282 of 3	oos Payer	∪ #.

This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503.

New Applications Under 35 U.S.C. 111

If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.

National Stage of an International Application under 35 U.S.C. 371

If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.

New International Application Filed with the USPTO as a Receiving Office

If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.

Case 2:20-cv-06082-GRB-ST Document 69-3 Filed 06/21/22 Page 283 of 363 PageID #:

4776

PTO/SB/06 (09-11)
Approved for use through 1/31/2014. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
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PATENT APPLICATION FEE DETERMINATION RECORD Substitute for Form PTO-875						n or Docket Nu -/698,673	umber	Filing Date 04/28/2015	To be Mailed	
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			(Column)	(Column 2)					
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	BASIC FEE (37 CFR 1.16(a), (b), c	or (c))	N/A		N/A		N	/A		
	SEARCH FEE (37 CFR 1.16(k), (i), c	or (m))	N/A		N/A		N	/A		
	EXAMINATION FE (37 CFR 1.16(o), (p), o		N/A		N/A		N	/A		
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	EPENDENT CLAIM CFR 1.16(h))	S	m	inus 3 = *			x \$	=		
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	MULTIPLE DEPEN	IDENT CLAIM PR	ESENT (3	7 CFR 1.16(j))						
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		(Column 1)		APPLICATI	ON AS AMEN		ART II			
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N	Independent (37 CFR 1.16(h))	* 2	Minus	***3	= 0		x \$210	=		0
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	FIRST PRESEN	ITATION OF MULTIF	PLE DEPEN	DENT CLAIM (37 CFF	R 1.16(j))					
							TOTAL AI	DD'L FEI	=	0
		(Column 1)		(Column 2)	(Column 3)				
_		CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EX	TRA	RATI	E (\$)	ADDITIO	DNAL FEE (\$)
ENT	Total (37 CFR 1.16(i))	*	Minus	**	=		X \$	=		
ENDM	Independent (37 CFR 1.16(h))	*	Minus	***	=		X \$	=		
IEN	Application Si.	ze Fee (37 CFR 1	.16(s))							
MA	FIRST PRESEN	ITATION OF MULTIF	PLE DEPEN	DENT CLAIM (37 CFF	R 1.16(j))					
							TOTAL AI	DD'L FEI		
** I1	If the entry in column 1 is less than the entry in column 2, write "0" in column 3. If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, enter "20". THUY TA If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, enter "3".									

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UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE UNITED STATES DEPARTMENT OF COMMI United States Patent and Trademark Office Address: COMMISSIONER FOR PATENTS PO. Box 1450 Alexandria, Virginia 22313-1450 www.uspto.gov

ATTY. DOCKET NO./TITLE APPLICATION NUMBER FILING OR 371(C) DATE FIRST NAMED APPLICANT

14/698,673 04/28/2015 Roger Ignon

EDGE.005C2 **CONFIRMATION NO. 7926**

20995 KNOBBE MARTENS OLSON & BEAR LLP 2040 MAIN STREET FOURTEENTH FLOOR **IRVINE, CA 92614**

POA ACCEPTANCE LETTER

Date Mailed: 08/19/2016

NOTICE OF ACCEPTANCE OF POWER OF ATTORNEY

This is in response to the Power of Attorney filed 08/08/2016.

The Power of Attorney in this application is accepted. Correspondence in this application will be mailed to the above address as provided by 37 CFR 1.33.

> Questions about the contents of this notice and the requirements it sets forth should be directed to the Office of Data Management, Application Assistance Unit, at (571) 272-4000 or (571) 272-4200 or 1-888-786-0101.

/agizaw/	

Case 2:20-cv-06082-GRB-ST Document 69-3 Filed 06/21/22 Page 285 of 363 PageID #:



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE United States Patent and Trademark Office Address: COMMISSIONER FOR PATENTS P.O. Box 1450 Alexandria, Virginia 22313-1450 www.uspto.gov

NOTICE OF ALLOWANCE AND FEE(S) DUE

KNOBBE MARTENS OLSON & BEAR LLP 2040 MAIN STREET FOURTEENTH FLOOR IRVINE, CA 92614 EXAMINER

KNAUSS, CHRISTIAN D

ART UNIT PAPER NUMBER

3731

DATE MAILED: 09/14/2016

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
14/698,673	04/28/2015	Roger Ignon	EDGE.005C2	7926

TITLE OF INVENTION: CONSOLE SYSTEM FOR THE TREATMENT OF SKIN

APPLN. TYPE	ENTITY STATUS	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	SMALL	\$480	\$0	\$0	\$480	12/14/2016

THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. PROSECUTION ON THE MERITS IS CLOSED. THIS NOTICE OF ALLOWANCE IS NOT A GRANT OF PATENT RIGHTS. THIS APPLICATION IS SUBJECT TO WITHDRAWAL FROM ISSUE AT THE INITIATIVE OF THE OFFICE OR UPON PETITION BY THE APPLICANT. SEE 37 CFR 1.313 AND MPEP 1308.

THE ISSUE FEE AND PUBLICATION FEE (IF REQUIRED) MUST BE PAID WITHIN THREE MONTHS FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. THIS STATUTORY PERIOD CANNOT BE EXTENDED. SEE 35 U.S.C. 151. THE ISSUE FEE DUE INDICATED ABOVE DOES NOT REFLECT A CREDIT FOR ANY PREVIOUSLY PAID ISSUE FEE IN THIS APPLICATION. IF AN ISSUE FEE HAS PREVIOUSLY BEEN PAID IN THIS APPLICATION (AS SHOWN ABOVE), THE RETURN OF PART B OF THIS FORM WILL BE CONSIDERED A REQUEST TO REAPPLY THE PREVIOUSLY PAID ISSUE FEE TOWARD THE ISSUE FEE NOW DUE.

HOW TO REPLY TO THIS NOTICE:

I. Review the ENTITY STATUS shown above. If the ENTITY STATUS is shown as SMALL or MICRO, verify whether entitlement to that entity status still applies.

If the ENTITY STATUS is the same as shown above, pay the TOTAL FEE(S) DUE shown above.

If the ENTITY STATUS is changed from that shown above, on PART B - FEE(S) TRANSMITTAL, complete section number 5 titled "Change in Entity Status (from status indicated above)".

For purposes of this notice, small entity fees are 1/2 the amount of undiscounted fees, and micro entity fees are 1/2 the amount of small entity fees

II. PART B - FEE(S) TRANSMITTAL, or its equivalent, must be completed and returned to the United States Patent and Trademark Office (USPTO) with your ISSUE FEE and PUBLICATION FEE (if required). If you are charging the fee(s) to your deposit account, section "4b" of Part B - Fee(s) Transmittal should be completed and an extra copy of the form should be submitted. If an equivalent of Part B is filed, a request to reapply a previously paid issue fee must be clearly made, and delays in processing may occur due to the difficulty in recognizing the paper as an equivalent of Part B.

III. All communications regarding this application must give the application number. Please direct all communications prior to issuance to Mail Stop ISSUE FEE unless advised to the contrary.

IMPORTANT REMINDER: Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.

PACHIBERT 62-3-RFILE M 06/21/22 Page 286 of 363 PageID #: Case 2:20-cv-06082-GRB-ST

Complete and send this form, together with applicable fee(s), to: Mail Mail Stop ISSUE FEE

Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450

or <u>Fax</u> (571)-273-2885

INSTRUCTIONS: This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 5 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

CURRENT CORRESPONDENCE ADDRESS (Note: Use Block 1 for any change of address)

Note: A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must

			Certi	ificate o	- f Mailing or Transn	deposited with the United t class mail in an envelope above, or being facsimile te indicated below. (Depositor's name) (Signature)
FILING DATE		FIRST NAMED INVENTOR		ATTORN	NEY DOCKET NO.	CONFIRMATION NO.
04/28/2015 : CONSOLE SYSTEM	FOR THE TREATMEN	Roger Ignon T OF SKIN	•	El	DGE.005C2	7926
ENTITY STATUS	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE	FEE	TOTAL FEE(S) DUE	DATE DUE
SMALL	\$480	\$0	\$0	•	\$480	12/14/2016
INER HRISTIAN D	ART UNIT 3731	CLASS-SUBCLASS 606-131000				
ondence address (or Cha 3/122) attached. ication (or "Fee Address 12 or more recent) attach ND RESIDENCE DATA	nge of Correspondence "Indication formed. Use of a Customer A TO BE PRINTED ON	(1) The names of up to or agents OR, alternativ (2) The name of a single registered attorney or a 2 registered patent attorney in the patent of type and the patent of type data will appear on the patent aubstitute for filing an armore specific patent.	3 registered patent rely, e firm (having as a regent) and the name rees or agents. If ne printed. be) atent. If an assigned assignment.	member s of up to name	a 2	ocument has been filed for
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	RTENS OLSON AREET FLOOR 614 FILING DATE 04/28/2015 CONSOLE SYSTEM INTER ENTITY STATUS SMALL INER HRISTIAN D Ence address or indication condence address (or Chana) Conde	RTENS OLSON & BEAR LLP REET FLOOR 614 FILING DATE 04/28/2015 CONSOLE SYSTEM FOR THE TREATMENT ENTITY STATUS ISSUE FEE DUE SMALL S480 INER ART UNIT IRISTIAN D 3731 condence address or indication of "Fee Address" (37) condence address (or Change of Correspondence 3/122) attached. ication (or "Fee Address" Indication form 2 or more recent) attached. Use of a Customer ND RESIDENCE DATA TO BE PRINTED ON ess an assignee is identified below, no assignee in in 37 CFR 3.11. Completion of this form is NO GNEE interest assignee category or categories (will not be pare submitted: for small entity discount permitted) for Copies tus (from status indicated above) ag small entity status. See 37 CFR 1.29 ag small entity status. See 37 CFR 1.27 ag to regular undiscounted fee status. e signed in accordance with 37 CFR 1.31 and 1.3	FILING DATE FIRST NAMED INVENTOR O4/28/2015 Roger Ignon CONSOLE SYSTEM FOR THE TREATMENT OF SKIN ENTITY STATUS ISSUE FEE DUE PUBLICATION FEE DUE SMALL \$480 \$0 INER ART UNIT CLASS-SUBCLASS IRISTIAN D 3731 606-131000 INER ART UNIT CLASS-SUBCLASS INITIAN D 3731 606-131000 INER ART UNIT CLASS-SUBCLASS INITIAN D 3731 606-131000 INER ART UNIT CLASS-SUBCLAS	The reby certify that this states Potal Service will dressed to the Mail transmitted to the USPT FLOOR FILING DATE FIRST NAMED INVENTOR FILING DATE FIRST NAMED INVENTOR O4/28/2015 Roger Ignon CONSOLE SYSTEM FOR THE TREATMENT OF SKIN ENTITY STATUS ISSUE FEE DUE PUBLICATION FEE DUE PREV. PAID ISSUE SMALL \$480 \$0 \$0 \$0 INER ART UNIT CLASS-SUBCLASS IRISTIAN D 3731 606-131000 INER ART UNIT CLASS-SUBCLASS INER ART UNIT CLAS	Certificate of RTENS OLSON & BEAR LLP RET ST NAMED INVENTOR FILING DATE FILING DATE FILING DATE FILING DATE FILING DATE FIRST NAMED INVENTOR ATTOR 04/28/2015 ROGER Ignon ED CONSOLE SYSTEM FOR THE TREATMENT OF SKIN ENTITY STATUS ISSUE FEE DUE SMALL S480 S0 S0 INER ART UNIT CLASS-SUBCLASS IRISTIAN D 3731 606-131000 INER ART UNIT CLASS-SUBCLASS IRISTIAN D 3731 606-131000 The address or indication of "Fee Address" (37 or agents of R. alternatively. (2) The name of a single firm (having as a member of a substitution for "Fee Address" Indication for "Ee Address" Indication for "Ee Address" in State of a Customer ND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type) case an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below in a substitute for filing an assignment. BND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type) case an assignee category or categories (will not be printed on the patent): In 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment. BND RESIDENCE: (CITY and STATE OR COUNTR and Country and Cou	REEN SOLSON & BEAR LLP REED THE TREATMENT OF SKIN FILING DATE FIRST NAMED INVENTOR ATTORNEY DOCKET NO. 104/28/2015 Roger Ignon EDGE.005C2 CONSOLE SYSTEM FOR THE TREATMENT OF SKIN ENTITY STATUS ISSUE FEE DUE PUBLICATION FEE DUE PREV. PAID ISSUE FEE TOTAL FEE(S) DUE SMALL S480 S0 S0 S480 INER ART UNIT CLASS-SUBCLASS INTER CLASS-SUBCLASS INTER CLASS-SUBCLASS INTER CLASS-SUBCLASS INTER CLASS-SUBCLASS INTER CLASS-SUBCL

Case 2:20-cv-06082-GRB-ST Document 69-3 Filed 06/21/22 Page 287 of 363 PageID #:



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE United States Patent and Trademark Office Address: COMMISSIONER FOR PATENTS P.O. Box 1450 Alexandria, Virginia 22313-1450

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO. CONFIRMATION		
14/698,673	04/28/2015	Roger Ignon	EDGE.005C2	7926	
20995 75	90 09/14/2016		EXAM	INER	
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2040 MAIN STRE FOURTEENTH FI			ART UNIT	PAPER NUMBER	
IRVINE, CA 9261	4	3731			
			DATE MAII ED: 09/14/201	6	

Determination of Patent Term Adjustment under 35 U.S.C. 154 (b)

(Applications filed on or after May 29, 2000)

The Office has discontinued providing a Patent Term Adjustment (PTA) calculation with the Notice of Allowance.

Section 1(h)(2) of the AIA Technical Corrections Act amended 35 U.S.C. 154(b)(3)(B)(i) to eliminate the requirement that the Office provide a patent term adjustment determination with the notice of allowance. See Revisions to Patent Term Adjustment, 78 Fed. Reg. 19416, 19417 (Apr. 1, 2013). Therefore, the Office is no longer providing an initial patent term adjustment determination with the notice of allowance. The Office will continue to provide a patent term adjustment determination with the Issue Notification Letter that is mailed to applicant approximately three weeks prior to the issue date of the patent, and will include the patent term adjustment on the patent. Any request for reconsideration of the patent term adjustment determination (or reinstatement of patent term adjustment) should follow the process outlined in 37 CFR 1.705.

Any questions regarding the Patent Term Extension or Adjustment determination should be directed to the Office of Patent Legal Administration at (571)-272-7702. Questions relating to issue and publication fee payments should be directed to the Customer Service Center of the Office of Patent Publication at 1-(888)-786-0101 or (571)-272-4200.

Notice Requiring Inventor's Oath or Declaration	**	Applicant(s) Roger Ignon
	Examiner KNAUSS, CHRISTIAN D	Art Unit 3731

This notice is an attachment to the Notice of Allowability (PTOL-37), or the Notice of Allowability For A Design Application (PTOL-37D).

An inventor's oath or declaration in compliance with 37 CFR 1.63 or 1.64 executed by or with respect to each inventor has not yet been submitted.

An oath or declaration in compliance with 37 CFR 1.63, or a substitute statement in compliance with 37 CFR 1.64, executed by or with respect to each inventor (for any inventor for which a compliant oath, declaration, or substitute statement has not yet been submitted) MUST be filed no later than the date on which the issue fee is paid. See 35 U.S.C. 115(f). Failure to timely comply will result in ABANDONMENT of this application.

A properly executed inventor's oath to declaration has not been received for the following inventor(s):

If applicant previously filed one or more oaths, declarations, or substitute statements, applicant may have received an informational notice regarding deficiencies therein.

The following deficiencies are noted:

INFORMAL ACTION PROBLEMS

• A properly executed inventor's oath or declaration has not been received for the following inventor(s): **Roger Ignon**, **Scott Mallett**, **Abraham Solano**, and **William Cohen**.

Applicant may submit the inventor's oath or declaration at any time before the Notice of Allowance and Fee(s) Due, PTOL-85, is mailed.

Questions relating to this Notice should be directed to the Application Assistance Unit at 571-272-4200.

OMB Clearance and PRA Burden Statement for PTOL-85 Part B

The Paperwork Reduction Act (PRA) of 1995 requires Federal agencies to obtain Office of Management and Budget approval before requesting most types of information from the public. When OMB approves an agency request to collect information from the public, OMB (i) provides a valid OMB Control Number and expiration date for the agency to display on the instrument that will be used to collect the information and (ii) requires the agency to inform the public about the OMB Control Number's legal significance in accordance with 5 CFR 1320.5(b).

The information collected by PTOL-85 Part B is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450. Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

Privacy Act Statement

The Privacy Act of 1974 (P.L. 93-579) requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

The information provided by you in this form will be subject to the following routine uses:

- 1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether disclosure of these records is required by the Freedom of Information Act.
- 2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
- 3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
- 4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
- 5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
- 6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
- 7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (i.e., GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
- 8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspection or an issued patent.
- 9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.

	Applica 14/698,6	tion No.	Applicant(s) IGNON ET AL.			
Notice of Allowability	Examin		Art Unit 3731	AIA (First Inventor to File) Status No		
The MAILING DATE of this communication appear All claims being allowable, PROSECUTION ON THE MERITS IS (herewith (or previously mailed), a Notice of Allowance (PTOL-85) NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGOT THE OFFICE OF THE OFFICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGOT THE OFFICE OF THE OFFICE OFFICE OF THE OFFICE O	(OR REM. or other a GHTS. TI	AINS) CLOSED in this app ppropriate communication nis application is subject to	lication. If not will be mailed i	included n due course. THIS		
1. A declaration(s)/affidavit(s) under 37 CFR 1.130(b) was/		on <u>.</u>				
. An election was made by the applicant in response to a restriction requirement set forth during the interview on; the restriction requirement and election have been incorporated into this action.						
. ☑ The allowed claim(s) is/are 2.4-6.8-14 and 16-21. As a result of the allowed claim(s), you may be eligible to benefit from the Patent Prosecution Highway program at a participating intellectual property office for the corresponding application. For more information, please see http://www.uspto.gov/patents/init_events/pph/index.jsp or send an inquiry to PPHfeedback@uspto.gov.						
Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). Certified copies: a) All b) Some *c) None of the: 1. Certified copies of the priority documents have been received. 2. Certified copies of the priority documents have been received in Application No 3. Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).						
* Certified copies not received: Applicant has THREE MONTHS FROM THE "MAILING DATE" of noted below. Failure to timely comply will result in ABANDONM THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.			omplying with	the requirements		
5. CORRECTED DRAWINGS (as "replacement sheets") must	be submi	tted.				
including changes required by the attached Examiner's Paper No./Mail Date Identifying indicia such as the application number (see 37 CFR 1.4)				not the back) of		
each sheet. Replacement sheet(s) should be labeled as such in the				not the back, of		
 DEPOSIT OF and/or INFORMATION about the deposit of Bl attached Examiner's comment regarding REQUIREMENT FO 				ne		
Attachment(s) 1. ☐ Notice of References Cited (PTO-892) 2. ☒ Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date 3. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material 4. ☒ Interview Summary (PTO-413), Paper No./Mail Date 20160818.		5. ⊠ Examiner's Amendm6. ⊠ Examiner's Stateme7. ☐ Other		for Allowance		
/RYAN J. SEVERSON/ Primary Examiner, Art Unit 3731		/C. K./ Examiner, Art Unit 373	1			

Case 2:20-cv-06082-GRB-ST Document 69-3 Filed 06/21/22 Page 291 of 363 PageID #: 4784

Continuation Sheet (PTOL-37)

Application No. 14/698,673

Continuation of Item 1. This communication is responsive to: the Request for Continued Examination filed 8/8/16 and the Examiner's Amendment of 8/30/16.

Application/Control Number: 14/698,673 Page 2

Art Unit: 3731

DETAILED ACTION

Notice of Pre-AIA or AIA Status

1. The present application is being examined under the pre-AIA first to invent provisions.

EXAMINER'S AMENDMENT

2. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in an interview with Theodore Papagiannis on 8/30/16.

The application has been amended as follows:

IN THE CLAIMS

In claim 2, line 23, deleted "contact" and inserted --contacts-- in its place

In claim 14, line 10, deleted "and"

Allowable Subject Matter

3. Claims 2, 4-6, 8-14, and 16-21 allowed.

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Application/Control Number: 14/698,673

Art Unit: 3731

- 4. The following is an examiner's statement of reasons for allowance: Claim 2 was amended to recite that the treatment material comprises a liquid and that when the vacuum source is activated and the tip contacts the skin surface, a suction force is created within the waste conduit and along the tip, thereby removing waste from the skin surface via the waste conduit while drawing treatment material from the first fluid container or the second fluid container to the tip via the supply conduit. These limitations, in combination with the other limitations in the claim are not disclosed or made obvious by the prior art of record. Claims 4-6 and 8-13 are all dependent on claim 2, and thus are also allowable over the prior art of record.
- 5. Specifically, the previously cited Coleman reference fails to disclose or teach that when the vacuum source is activated and the tip contacts the skin surface, a suction force is created within the waste conduit and along the tip, thereby removing waste from the skin surface via the waste conduit while drawing treatment material from the first fluid container or the second fluid container to the tip via the supply conduit. Instead, Coleman teaches that motor 66 activates valves 62A-62D to draw treatment material from the first fluid container or the second fluid container. Coleman does not disclose or teach that the vacuum source draws treatment material from the fluid containers.
- 6. Claim 14 was amended to require a system for performing a skin treatment procedure, the system comprising, inter alia, a manifold in fluid communication with at least two fluid containers, each of the at least two fluid containers configured to contain a treatment material, wherein the treatment material comprises a liquid, a handpiece assembly comprising a tip, a supply conduit secured to the handpiece assembly, a

Page 4

Application/Control Number: 14/698,673

Art Unit: 3731

vacuum source, and a waste conduit in fluid communication with the handpiece and operatively connected to the vacuum source. Claim 14 further requires that the manifold is configured to control a flow of treatment material from each of the at least two fluid containers through the supply conduit, and that the system is configured to permit a user to select the fluid container from which treatment material is delivered to the supply conduit. These limitations, in combination with the other limitations in the claim, are not disclosed or made obvious in the prior art of record. Claims 16-21 are all dependent on claim 14, and thus are also allowable over the prior art of record.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to CHRISTIAN KNAUSS whose telephone number is (571)272-8641. The examiner can normally be reached on Monday-Friday 8:00 am - 5 pm EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Corrine McDermott can be reached on (571)272-4754. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Application/Control Number: 14/698,673

Art Unit: 3731

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/C. K./ Examiner, Art Unit 3731

/RYAN J. SEVERSON/ Primary Examiner, Art Unit 3731

Case 2:20-cv-06082-GRB-ST Document 69-3 Filed 06/21/22 Page 296 of 363 PageID #: 4789

	Application No.	Applicant(s)						
Examiner-Initiated Interview Summary	14/698,673	IGNON ET AL.						
Examiner initiated interview duminary	Examiner	Art Unit						
	CHRISTIAN KNAUSS	3731						
All participants (applicant, applicant's representative, PTO p	ersonnel):							
(1) <u>CHRISTIAN KNAUSS</u> .	(3)							
(2) <u>THEODORE PAPAGIANNIS</u> .	(4)							
Date of Interview: 30 August 2016.								
Type: Telephonic Video Conference Personal [copy given to: applicant applicant's representative]								
Exhibit shown or demonstration conducted:								
	Issues Discussed 101 112 102 103 Others (For each of the checked box(es) above, please describe below the issue and detailed description of the discussion)							
Claim(s) discussed: <u>2 and 14</u> .								
Identification of prior art discussed: <u>none</u> .								
Substance of Interview (For each issue discussed, provide a detailed description and indicate if agreement we reference or a portion thereof, claim interpretation, proposed amendments, arguments		entification or clarificat	ion of a					
The Examiner contacted the Applicant's representative to prepresentative authorized the Examiner to enter the Examine		ts. The Applican	<u>t's</u>					
Applicant recordation instructions: It is not necessary for applicant to pro	vide a separate record of the substan	ce of interview.						
Examiner recordation instructions: Examiners must summarize the substance of any interview of record. A complete and proper recordation of the substance of an interview should include the items listed in MPEP 713.04 for complete and proper recordation including the identification of the general thrust of each argument or issue discussed, a general indication of any other pertinent matters discussed regarding patentability and the general results or outcome of the interview, to include an indication as to whether or not agreement was reached on the issues raised.								
Attachment								
/RYAN J. SEVERSON/ Primary Examiner, Art Unit 3731	/C. K./ Examiner, Art Unit 3731							

Receipt Case: 2020/09/26082-GRB-ST Document 69-3 Filed 06/21/22 Page 297 of 363 48 age 4D 4 AU: 3731

PTO/SB/08 Equivalent	

	Application No.	14/698,673
INFORMATION DISCLOSURE	Filing Date	April 28, 2015
STATEMENT BY APPLICANT	First Named Inventor	Roger Ignon
STATEMENT BY APPLICANT	Art Unit	3731
(Multiple sheets used when necessary)	Examiner	Christian D. Knauss
SHEET 1 OF 1	Attorney Docket No.	EDGE.005C2

U.S. PATENT DOCUMENTS							
Examiner Initials		Publication Date Name MM-DD-YYYY		Pages, Columns, Lines Where Relevant Passages or Relevant Figures Appear			
	1	2008/0154161	06-26-2008	Abbott			
	2	2008/0208146	08-28-2008	Brandwein et al.			
	3	2016/0038183	02-11-2016	Ignon et al.			

	FOREIGN PATENT DOCUMENTS							
Examiner Initials	Cite No.	Foreign Patent Document Country Code-Number-Kind Code Example: JP 1234567 A1	Publication Date MM-DD-YYYY	Name	Pages, Columns, Lines Where Relevant Passages or Relevant Figures Appear	T ¹		

	NON PATENT LITERATURE DOCUMENTS				
Examiner Initials	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ¹		

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/CHRISTIAN D KNAUSS/ Examiner Signature **Date Considered** 08/18/2016

^{*}Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.



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BIB DATA SHEET

CONFIRMATION NO. 7926

SERIAL NUMBER	FILING or			CLASS	GRO	OUP ART UNIT		ATTO	DRNEY DOCKET NO.
14/698,673	04/28/20			606		3731		E	EDGE.005C2
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APPLICANTS EDGE SYSTEM	IS LLC, Signal	Hill, CA;							
INVENTORS Roger Ignon, Re Scott Mallett, Co Abraham Soland William Cohen,	oto De Caza, C o, Corona, CA; Los Alamitos, (CA;							
** CONTINUING DATA ***********************************									
** FOREIGN APPLIC	ATIONS *****	******	******	none /CK/					
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Issue Classification

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Examiner	Art Unit
CHRISTIAN KNAUSS	3731

СРС				
Symbol			Туре	Version
A61M	35	1 003	F	2013-01-01
A61B	17	545	1	2013-01-01
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A61B	2017	00761	A	2013-01-01
A61N	5	0616	A	2013-01-01
A61B	2217	<i>t</i> 005	A	2013-01-01
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A61B	17	3205	1	2013-01-01
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CPC Combination Sets						
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/C.K./ Examiner.Art Unit 3731	08/18/2016	Total Claims Allowed:		
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/RYAN J SEVERSON/ Primary Examiner.Art Unit 3731	09/01/2016	O.G. Print Claim(s)	O.G. Print Figure	
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	Application/Control No.	Applicant(s)/Patent Under Reexamination
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EAST Search History

EAST Search History (Prior Art)

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S3	3	(abraham near2 solano).in.	US- PGPUB; USPAT	OR	ON	2015/07/21 10:06
S4	100	(william near2 cohen).in.	US- PGPUB; USPAT	OR	ON	2015/07/21 10:07
S5	24	(edge near2 systems).as.	US- PGPUB; USPAT	OR	ON	2015/07/21 10:09
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		"6120512" "6238275" "6303119" <mark>} 0.2</mark> 0R ("6527783").URPN.				
S22	32	("20010023351" "5037432" "5100412" "5207034" "5207234" "5620414" "5810842" "5954730" "5971999" "6019749" "6039745" "6080165" "6120512" "6139554" "6196982" "6235039" "6238275" "6241739" "6250996" "6277003" "6306119" "6390899").PN. OR ("6673082").URPN.	US- PGPUB; USPAT; USOCR	OR	ON	2015/07/22 10:09
S23	42	("20010023351" "4572187" "5037432" "5100412" "5154696" "5207234" "5354307" "5810842" "5954730" "5971999" "6019749" "6039745" "6080165" "6162232" "6196982" "6235039" "6241739" "6250996" "6299620" "6319211" "6391034" "6423078" "6432113" "6629983" "6652888").PN. OR ("6942649").URPN.	US- PGPUB; USPAT; USOCR	OR	ON	2015/07/22 10:16
S24	38	("5037432" "5100412" "5810842" "5971999").PN. OR ("6080165").URPN.	US- PGPUB; USPAT; USOCR	OR	ON	2015/07/22 10:17
\$25	43	("20010023351" "2701559" "2712823" "2867214" "2881763" "2921585" "3964212" "4378804" "4957747" "5012797" "5037431" "5037432" "5100412" "5154696" "5207234" "5800446" "5810842" "5954730" "5971999" "6019749" "6039745" "6042552" "6080165" "6196982" "6235039" "6241739" "6250996" "6319211").PN. OR ("6592595").URPN.	US- PGPUB; USPAT; USOCR	OR	ON	2015/07/22 10:21
S26	32	("20010023351" "5037432" "5100412" "5207034" "5207234" "5620414" "5810842" "5954730" "5971999" "6019749" "6039745" "6080165" "6120512" "6139554" "6196982" "6235039" "6238275" "6241739" "6250996" "6277003" "6306119" "6390899").PN. OR ("6673082").URPN.	US- PGPUB; USPAT; USOCR		ON	2015/07/22 10:21
S27	19	("3815286" "5037432" "5207234" "5971999").PN. OR ("6238275").URPN.	US- PGPUB; USPAT; USOCR	OR	ON	2015/07/22 10:37
S28	38	("4183470" "5186625" "5240842" "5350299" "5362494" "5441174" "5547376" "5591184" "5634791" "5657760" "5752829" "Re31887").PN. OR ("6264666").URPN.	US- PGPUB; USPAT; USOCR	OR	ON	2015/07/22 10:38
S29	38	("2608032" "2921585" "3574239" "3715838" "4375740" "4482322" "4560373" "4646480" "4671867" "4676749" "4757814" "4765099" "5037431" "5037432" "5100412" "5207234" "5309683" "5460604" "5547376" "5765759" "5810587" "5810842" "6039745").PN. OR ("6277128").URPN.	US- PGPUB; USPAT; USOCR	OR	ON	2015/07/22 10:39
S30	14	("3815286" "5037431" "6183148" "6193589" "6235039" "6238275"	US- PGPUB;	OR	ON	2015/07/22 10:41

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		"6322568").PN. OR ("6503256").URP <mark>18:03</mark>	USPAT; USOCR			
S31	59	("1772545" "2109259" "2453080" "2547823" "2618410" "2711268" "2962193" "3217887" "3647118").PN. OR ("3930598").URPN.	US- PGPUB; USPAT; USOCR	OR	ON	2015/07/22 10:44
S32	82	("0882532" "1882040" "1898652" "2228676" "2266931" "2338339" "2655146" "2701559" "2712823" "2867214" "2881763" "2921585" "3236231" "3736921" "3818904" "3841322" "3841323" "3964212" "4003373" "4241499" "4378804" "4560373" "4572187" "4646480" "4836192" "4957747" "5012797" "5037431" "5037432" "5100412" "5207234" "5377701" "5699810" "5800440" "5810842" "5954730" "5971999" "6039745" "6042552" "6080165" "6120512" "6139554" "6149634" "6196982" "6241739" "6283078" "6299620" "6319211" "6500183" "6511486").PN. OR ("6695853").URPN.	US- PGPUB; USPAT; USOCR	OR	ON	2015/07/22 10:46
S33	107	("2608032" "2921585" "3085573" "3574239" "3715838" "4560373" "4646480" "4676749" "4757814").PN. OR ("5037432").URPN.	US- PGPUB; USPAT; USOCR	OR	ON	2015/07/22 10:53
S34		("20030093089" "2701559" "2712823" "2867214" "2881763" "2921585" "3964312" "4378804" "5012797" "5037431" "5037432" "5100412" "5800446" "5971999" "6039745" "6241739" "6277128" "6299620" "6432114" "6500183" "6582442" "6592595" "6629983" "6695853" "6911031" "7070488").PN. OR ("7651508").URPN.	US- PGPUB; USPAT; USOCR	OR	ON	2015/07/22 10:55
S35	38	("4183470" "5186625" "5240842" "5350299" "5362494" "5441174" "5547376" "5591184" "5634791" "5657760" "5752829" "Re31887").PN. OR ("6264666").URPN.	US- PGPUB; USPAT; USOCR	OR	ON	2015/07/22 14:45
S36	6	(manifold same container same (antimicrobial disenfect\$4))	US- PGPUB; USPAT; EPO; JPO	OR	ON	2015/07/22 16:29
S 37	140	(manifold same container same (antimicrobial disenfect\$4 surfactant sanitiz\$5))	US- PGPUB; USPAT; EPO; JPO	OR	ON	2015/07/22 16:32
S38	378	(manifold with (clean\$4 sanitiz\$4) with container)	US- PGPUB; USPAT; EPO; JPO	OR	ON	2015/07/23 08:44
S39	12	(manifold with (clean\$4 sanitiz\$4) with container) and (abrasion or microabrasion)	US- PGPUB; USPAT;		ON	2015/07/23 08:45

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		4804	EPO; JPO			
S40	17	("2894732" "3378234" "3468637").PN. OR ("3865352").URPN.	US- PGPUB; USPAT; USOCR	OR	ON	2015/07/23 09:24
S41	33	("20030093089" "2701559" "2712823" "2867214" "2881763" "2921585" "3964312" "4378804" "5012797" "5037431" "5037432" "5100412" "5800446" "5971999" "6039745" "6241739" "6277128" "6299620" "6432114" "6500183" "6582442" "6592595" "6629983" "6695853" "6911031" "7070488").PN. OR ("7651508").URPN.	US- PGPUB; USPAT; USOCR	OR	ON	2015/07/23 10:06
S42	15	("20010023351" "20030093089" "20060116674" "20070156124" "6250996" "7232444" "7651508" "D286920" "D286921" "D321340" "D326920" "D489816" "D548326").PN. OR ("D627876").URPN.	US- PGPUB; USPAT; USOCR	OR	ON	2015/07/23 10:12
S43	15	("5037432" "5971999").PN. OR ("6250996").URPN.	US- PGPUB; USPAT; USOCR	OR	ON	2015/07/23 10:13
S44	8	("20010023351" "20030093089" "20030212415" "6250996" "D450842").PN. OR ("D503979").URPN.	US- PGPUB; USPAT; USOCR	OR	ON	2015/07/23 10:14
S45	16	("20010023351" "20030093089" "20070156124" "4653474" "6250996" "7232444" "D192841" "D224070" "D249550" "D326920" "D475463" "D489816" "D627876").PN. OR ("D682414").URPN.	US- PGPUB; USPAT; USOCR	OR	ON	2015/07/23 10:15
S46	47	("7083580" "7087063" "7094252" "7115275" "7135011" "7153311" "7197359" "7198623" "7241208" "7276051" "7314326" "7316657" "7318828" "7320691" "7352801" "7354423" "7364565" "7384405" "7427273" "7458944" "7476205" "7477938" "7482314" "7489989" "7507067" "7579900" "7597901" "7658742" "7678120" "7744582" "7789886" "7837695" "7901373" "7951156" "8025669" "8048089" "8066716" "8088085" "8128638" "8221437" "8236008" "8277287" "8337513" "8343116" "8814836" "RE37796" "RE42960").PN.	US- PGPUB; USPAT	OR	ON	2016/02/23 12:32
S47	3	("20080154161" "20080208146" "20160038183").PN.	US- PGPUB; USPAT	OR	ON	2016/08/17 10:17
	5577	A61B17/54,545.cpc. or A61B19/0248.cpc. or A61B2019/025.cpc. or A61B2017/00199.cpc. or A61B2017/00017.cpc. or A61B2217/005,007.cpc.	US- PGPUB; USPAT	OR	ON	2016/08/17 10:39
S49	442	S48 and (manifold)	US-	OR	ON	2016/08/17

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se 2:2	20-cv-	·06082-GRB-ST Document 69-3 Filed	1 06/21	/22 Page	e 312 of	363 Pagel
		4805	PGPUB; USPAT			10:39
S50	250	S48 and (manifold) and liquid	US- PGPUB; USPAT	OR	ON	2016/08/17 10:42
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S55	7	("20030208159" "6322568" "8236008" "20020151908" "20090125023" "20110009882" "20120136374").PN.	US- PGPUB; USPAT; USOCR	OR	ON	2016/08/17 11:55
S56	879	microdermabrasion	US- PGPUB; USPAT	OR	ON	2016/08/17 12:14
S57	0	14/698,67.	US- PGPUB; USPAT; EPO; JPO	OR	ON	2016/08/17 14:22
S58	1	14/698,673	US- PGPUB; USPAT; EPO; JPO	OR	ON	2016/08/17 14:22
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S60	1002	A61M35/003.cpc.	US-	OR	ON	2016/08/17

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S63	952	A61B2017/320004.cpc.	US- PGPUB; USPAT	OR	ON	2016/08/17 15:05
S64	641	A61B50/10.cpc.	US- PGPUB; USPAT; EPO; JPO	OR	ON	2016/08/18 13:47
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S66	622	A61B50/13.cpc.	US- PGPUB; USPAT; EPO; JPO	OR	ON	2016/08/18 14:02
S67	252	S66 not S64	US- PGPUB; USPAT; EPO; JPO	OR	ON	2016/08/18 14:02
S68	17	11/392,348	US- PGPUB; USPAT	OR	ON	2016/08/18 14:12
S77	400	A61B17/3205.cpc.	US- PGPUB; USPAT	OR	ON	2016/08/18 15:19

EAST Search History (Interference)

Ref #	Hits	Search Query	DBs	Default Operator	Plurals	Time Stamp
S69		(console and manifold and contain\$4 and skin and liquid and (handpiece handle) and tip and (vacuum suction) and (conduit tube) and treat\$4).clm.	US- PGPUB; USPAT	OR	ON	2016/08/18 14:08
S70	0	(console and manifold and skin and liquid and (handpiece handle) and tip and (vacuum suction) and (conduit tube) and treat\$4).clm.	US- PGPUB; USPAT	OR	ON	2016/08/18 14:09
S71		(console and manifold and skin and liquid and (handpiece handle) and tip and (vacuum suction) and (conduit tube)).clm.	US- PGPUB; USPAT	OR	ON	2016/08/18 14:09
S72	2	(console and manifold and skin and (handpiece handle) and tip and (vacuum suction) and (conduit tube)).clm.	US- PGPUB; USPAT	OR	ON	2016/08/18 14:09
S73	1 1	(manifold and skin and (handpiece handle) and tip and (vacuum suction) and (conduit tube)).clm.	US- PGPUB; USPAT	OR	ON	2016/08/18 14:09

EAST Search History Case 2:20-cv-06082-GRB-ST Document 69-3 Filed 06/21/22 Page 314 of 363 PageID #:

20	e 2:2	20-cv	-06082-GRB-ST Document 69-3 File	ed 06/21/22 Page 314 of 363 Pagel
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("8814836").URPN.	

8/18/2016 5:45:08 PM

 $\textbf{C:} \ \textbf{Users} \ \textbf{cknauss} \ \textbf{Documents} \ \textbf{EAST} \ \textbf{Workspaces} \ \textbf{14698673.wsp}$

	Application/Control No.	Applicant(s)/Patent Under Reexamination
Search Notes	14698673	IGNON ET AL.
	Examiner	Art Unit
	CHRISTIAN KNAUSS	3734

CPC- SEARCHED							
Symbol	Date	Examiner					
A61B17/54, 545	7/23/15	CDK					
A61B2017/00017, 00199, 00743, 00747, 00761	7/23/15	CDK					
A61B19/0248	7/23/15	CDK					
A61B2019/025	7/23/15	CDK					
A61B2217/005, 007	7/23/15	CDK					
A61B17/50	8/18/16	CDK					
A61M35/003	8/18/16	CDK					
A61N5/0616	8/18/16	CDK					
A61B2017/320004	8/18/16	CDK					
A61B50/10, 13	8/18/16	CDK					

CPC COMBINATION SETS - SEARCHED					
Symbol	Date	Examiner			

	US CLASSIFICATION SEA	ARCHED	
Class	Subclass	Date	Examiner

SEARCH NOTES		
Search Notes	Date	Examiner
Performed inventor and assignee searches in PALM and EAST	7/23/15	CDK
Performed EAST search (see attached EAST search history)	7/23/15	CDK
Performed forward/backward searches in EAST	7/23/15	CDK
Performed class/text searchs and combinations in EAST	7/23/15	CDK
Updated EAST search (see attached EAST search history)	2/25/16	CDK
Consulted Ryan Severson	2/25/16	CDK
Updated EAST search (see attached EAST search history)	8/18/16	CDK
Consulted Ryan Severson regarding allowable subject matter	8/18/16	CDK
Performed Interference search	8/18/16	CDK

/C.K./ Examiner.Art Unit 3731	

U.S. Patent and Trademark Office Part of Paper No.: 20160818

	INTERFERENCE SEARCH		
US Class/ CPC Symbol	US Subclass / CPC Group	Date	Examiner
text search	US-PGPUB; USPAT	8/18/16	CDK

/C.K./ Examiner.Art Unit 3731	

U.S. Patent and Trademark Office Part of Paper No.: 20160818

Case 2:20-cv-06082-GRB-ST Document 69-3 Filed 06/21/22 Page 318 of 363 PageID #:

PART B - FEE(S) TRANSMITTAL

Complete and send this form, together with applicable fee(s), to: Mail Mail Stop ISSUE FEE

o: Mail Mail Stop ISSUE FEE
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450
or Fax (571)-273-2885

INSTRUCTIONS: This form should be used for transmitting the ISSUE FEE and FUBLICATION FEE (if required). Blocks 1 through 5 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

Note: A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission. CURRENT CORRESPONDENCE ADDRESS (Note: Use Block 1 for any change of address) Certificate of Mailing or Transmission 20995 69/14/2016 I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO (571) 273-2885, on the date indicated below. KNOBBE MARTENS OLSON & BEAR LLP 2040 MAIN STREET FOURTEENTH FLOOR (Depositor's name IRVINE, CA 92614 (Signature) Date FIRST NAMED INVENTOR APPLICATION NO FILING DATE ATTORNEY DOCKET NO CONFIRMATION NO. 14/698,673 04/28/2015 EDGE.005C2 7926 Roger Ignon TITLE OF INVENTION: CONSOLE SYSTEM FOR THE TREATMENT OF SKIN APPLN, TYPE ISSUE FEE DUE PUBLICATION FEE DUE PREV. PAID ISSUE FEE ENTITY STATUS TOTAL FEE(S) DUE DATE DUE SMALL. \$480 80 80 \$480 12/14/2016 nonprovisional EXAMINER ART UNIT CLASS-SUBCLASS KNAUSS, CHRISTIAN D 3731 606-131000 Change of correspondence address or indication of "Fee Address" (37 CFR 1.363). 2. For printing on the patent front page, list 1 Knobbe, Martens, (1) The names of up to 3 registered patent attorneys Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached. or agents OR, alternatively, Olson & Bear, LLP (2) The name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed. "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. Use of a Customer Number is required. 3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type) PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment. (B) RESIDENCE: (CITY and STATE OR COUNTRY) (A) NAME OF ASSIGNEE Edge Systems LLC Signal Hill, California Please check the appropriate assignee category or categories (will not be printed on the patent): Individual Corporation or other private group entity Government

4a. The following fee(s) are submitted:

Issue Fee

Publication Fee (No small entity discount permitted)

Advance Order - # of Copies

The director is hereby authorized to charge the required fee(s), any deficiency, or credits any overpayment, to Deposit Account Number 11-1410 (euclose an extra copy of this form).

5. Change in Entity Status (from status indicated above)

Applicant certifying micro entity status. See 37 CFR 1.29

NOTE: Absent a valid certification of Micro Entity Status (see forms PTO/SB/15A and 15B), issue fee payment in the micro entity amount will not be accepted at the risk of application abandonment

Applicant certifying micro entity status. See 37 CFR 1.29

NOTE: Absent a valid certification of Micro Entity Status (see forms PTO/SB/15A and 15B), issue fee payment in the micro entity amount will not be accepted at the risk of application abandonment.

NOTE: If the application was previously under micro entity status, checking this box will be taken to be a notification of loss of entitlement to micro entity status.

NOTE: Checking this box will be taken to be a notification of loss of entitlement to small or micro

entity status, as applicable.

NOTE: This form must be signed in ac	cordance with 37 CFR 1.31	and 1.33, See 37 CFR 1.4	for signature requirements as	nd certifications.
- Control of the Cont		***************************************		
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Authorized Signature Date 2 O

Typed or printed name Theodore G. Papagiannis Registration No.

Date 2016-12-09

Registration No. 61,546

EDGE.005C2 PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor : Ignon et al.

Appl. No : 14/698,673

Filed : April 28, 2015

For : CONSOLE SYSTEM FOR THE

TREATMENT OF SKIN

Examiner : Christian D. Knauss

Art Unit : 3731

Conf. No. : 7926

COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Dear Sir:

To the extent that there is any implication that the patentability of the claims rests on the recitation of a single feature, Applicant respectfully disagrees with the Examiner's Statement of Reasons for Allowance, because it is the combination of features that makes the claims patentable. Further, to the extent that any features recited in the reasons for allowance are not present in any or all of the claims due to paraphrasing or because the features are in one claim but not in others, Applicant reserves the right to disagree with the Examiner's statements. In addition, Applicant does not necessarily agree with the Examiner's characterization of any references, such as, for example, U.S. Publ. No. 2001/0049511 to Coleman et al., and/or the state of the art generally mentioned in the Reasons for Allowance.

Applicant respectfully submits that the pending claims, including the dependent claims, may also be allowable for reasons different from, or in addition to, those stated in the Reasons for Allowance. Accordingly, Applicant reserves the right to argue that the claims of the present application are allowable because each of the claims recites a combination of features that are not taught or suggested by the references of record and/or any other art.

Case 2:20-cv-06082-GRB-ST Document 69-3 Filed 06/21/22 Page 320 of 363 PageID #: 4813

Appl. No. : 14/698,673 Filed : April 28, 2015

If the Examiner disagrees with any of the comments made herein, the Examiner is respectfully invited to promptly contact the undersigned.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: December 9, 2016 By: /Theodore G. Papagiannis/

Theodore G. Papagiannis Registration No. 61,546 Attorney of Record Customer No. 20,995 (949) 760-0404

24215082

PTO/AIA/01 (06-12)
Approved for use through 01/31/2014. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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DECLARATION (37 CFR 1.63) FOR UTILITY OR DESIGN APPLICATION USING AN APPLICATION DATA SHEET (37 CFR 1.76)

Title of Invention	CONSOLE SYSTEM FOR THE TREATMENT OF SKIN
As the belo	w named inventor, I hereby declare that:
This declar is directed t	
The above-i	dentified application was made or authorized to be made by me.
I believe tha	t I am the original inventor or an original joint inventor of a claimed invention in the application.
	nowledge that any willful false statement made in this declaration is punishable under 18 U.S.C. 1001 prisonment of not more than five (5) years, or both.
	WARNING:
contribute to (other than a to support a petitioners/a USPTO. Pe application (i patent. Furti referenced in	plicant is cautioned to avoid submitting personal information in documents filed in a patent application that may identity theft. Personal information such as social security numbers, bank account numbers, or credit card numbers a check or credit card authorization form PTO-2038 submitted for payment purposes) is never required by the USPTO petition or an application. If this type of personal information is included in documents submitted to the USPTO, pplicants should consider redacting such personal information from the documents before submitting them to the titioner/applicant is advised that the record of a patent application is available to the public after publication of the unless a non-publication request in compliance with 37 CFR 1.213(a) is made in the application) or issuance of a hermore, the record from an abandoned application may also be available to the public if the application is a published application or an issued patent (see 37 CFR 1.14). Checks and credit card, authorization forms ubmitted for payment purposes are not retained in the application file and therefore are not publicly available.
LEGAL NA	ME OF INVENTOR
inventor:	Roger Ignon Date (Optional): 10/11/10
Note: An appli been previous	ication data sheet (PTC/SB/14 or equivalent), including naming the entire inventive entity, must accompany this form or must have by filed. Use an additional PTC/AIA/01 form for each additional inventor.

This collection of information is required by 35 U.S.C. 115 and 37 CFR 1.63. The information is required to obtain or retein a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is setimated to take 1 minute to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will very depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS, SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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DECLARATION (37 CFR 1.63) FOR UTILITY OR DESIGN APPLICATION USING AN APPLICATION DATA SHEET (37 CFR 1.76)

Title of Invention	CONSOLE SYSTEM FOR THE TREATMENT OF SKIN
As the belo	w named inventor, I hereby declare that:
This declar	
	United States application or PCT international application number 14/698,673 filed on April 28, 2015
The above-i	identified application was made or authorized to be made by me.
I believe tha	at I am the original inventor or an original joint inventor of a claimed invention in the application.
I hereby ack by fine or in	knowledge that any willful false statement made in this declaration is punishable under 18 U.S.C. 1001 aprisonment of not more than five (5) years, or both.
	WARNING:
contribute to (other than a to support a petitioners/a USPTO. Pe application (patent. Furi referenced)	oplicant is cautioned to avoid submitting personal information in documents filed in a patent application that may be identity theft. Personal information such as social security numbers, bank account numbers, or credit card numbers a check or credit card authorization form PTO-2038 submitted for payment purposes) is never required by the USPTO petition or an application. If this type of personal information is included in documents submitted to the USPTO, applicants should consider redacting such personal information from the documents before submitting them to the etitioner/applicant is advised that the record of a patent application is available to the public after publication of the (unless a non-publication request in compliance with 37 CFR 1.213(a) is made in the application) or issuance of a thermore, the record from an abandoned application may also be available to the public if the application is a published application or an issued patent (see 37 CFR 1.14). Checks and credit card authorization forms submitted for payment purposes are not retained in the application file and therefore are not publicly available.
LEGAL N	AME OF INVENTOR
Inventor:	Scott Mallett Date (Optional): 9 - 23 - 16
Signature	An Wab
	lication data sheet (PTO/SB/14 or equivalent), including naming the entire inventive entity, must accompany this form or must have sly filed. Use an additional PTO/AIA/01 form for each additional inventor.

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by the USPTO to process) an application. Confidentially is governed by 35 U.S.C. 122 and 37 CPR 1.11 and 1.14. This collection is estimated to take 1 minute to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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DECLARATION (37 CFR 1.63) FOR UTILITY OR DESIGN APPLICATION USING AN APPLICATION DATA SHEET (37 CFR 1.76)

Title of Invention	CONSOLE SYSTEM FOR THE TREATMENT OF SKIN
As the belo	w named inventor, I hereby declare that:
This declar	() He anacher anoncanno or
	United States application or PCT international application number 14/698,673 filed on April 28, 2015
The above-	identified application was made or authorized to be made by me.
I believe tha	at I am the original inventor or an original joint inventor of a claimed invention in the application.
	knowledge that any willful false statement made in this declaration is punishable under 18 U.S.C. 1001 aprisonment of not more than five (5) years, or both.
v	WARNING:
contribute to (other than to support a petitioners/a USPTO. Pe application patent. Fur referenced	oplicant is cautioned to avoid submitting personal information in documents filed in a patent application that may be identity theft. Personal information such as social security numbers, bank account numbers, or credit card numbers a check or credit card authorization form PTO-2038 submitted for payment purposes) is never required by the USPTO petition or an application. If this type of personal information is included in documents submitted to the USPTO, applicants should consider redacting such personal information from the documents before submitting them to the etitioner/applicant is advised that the record of a patent application is available to the public after publication of the (unless a non-publication request in compliance with 37 CFR 1.213(a) is made in the application) or issuance of a thermore, the record from an abandoned application may also be available to the public if the application is in a published application or an issued patent (see 37 CFR 1.14). Checks and credit card, authorization forms submitted for payment purposes are not retained in the application file and therefore are not publicly available.
	AME OF INVENTOR Abraham Solang Date (Optional):
	lication data sheet (PTO/SB/14 or equivalent), including naming the entire inventive entity, must accompany this form or must have sly filed. Use an additional PTO/AIA/01 form for each additional inventor.

This collection of information is required by 35 U.S.C. 115 and 37 CFR 1.63. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 1 mirrule to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450, DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

PTO/AIA/01 (06-12)
Approved for use through 01/31/2014. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

DECLARATION (37 CFR 1.63) FOR UTILITY OR DESIGN APPLICATION USING AN APPLICATION DATA SHEET (37 CFR 1.76)

Title of Invention	CONSOLE SYSTEM FOR THE TREATMENT OF SKIN
As the belo	w named inventor, I hereby declare that:
This declare is directed to	
The above-i	dentified application was made or authorized to be made by me.
I believe tha	t I am the original inventor or an original joint inventor of a claimed invention in the application.
	mowledge that any willful false statement made in this declaration is punishable under 18 U.S.C. 1001 prisonment of not more than five (5) years, or both.
	WARNING:
contribute to (other than a to support a petitioners/a USPTO. Pe application (i patent. Furti referenced in	replicant is cautioned to avoid submitting personal information in documents filed in a patent application that may identity theft. Personal information such as social security numbers, bank account numbers, or credit card numbers a check or credit card authorization form PTO-2038 submitted for payment purposes) is never required by the USPTO petition or an application. If this type of personal information is included in documents submitted to the USPTO, performed to the personal information from the documents before submitting them to the attitioner/applicant is advised that the record of a patent application is available to the public after publication of the unless a non-publication request in compliance with 37 CFR 1.213(a) is made in the application) or issuance of a hermore, the record from an abandoned application may also be available to the public if the application is a published application or an issued patent (see 37 CFR 1.14). Checks and credit card authorization forms ubmitted for payment purposes are not retained in the application file and therefore are not publicly available.
LEGAL NA	AME OF INVENTOR
Inventor:	William Cohen Date (Optional): 10.7.16
Note: An appli been previous	ication data sheet (PTO/SB/14 or equivalent), including naming the entire inventive entity, must accompany this form or must have sly filed. Use an additional PTO/AIA/01 form for each additional inventor.

This collection of information is required by 35 U.S.C. 115 and 37 CFR 1.63. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 1 minute to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Privacy Act Statement

The Privacy Act of 1974 (P.L. 93-579) requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

The information provided by you in this form will be subject to the following routine uses:

- The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether disclosure of these records is required by the Freedom of Information Act.
- A record from this system of records may be disclosed, as a routine use, in the course of
 presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to
 opposing counsel in the course of settlement negotiations.
- 3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
- 4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
- A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
- 6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
- 7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (i.e., GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
- 8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspection or an issued patent.
- A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.

Electronic Patent Application Fee Transmittal						
Application Number:	14698673					
Filing Date:	28	-Apr-2015				
Title of Invention:	CC	INSOLE SYSTEM FOI	R THE TREATMI	ENT OF SKIN		
First Named Inventor/Applicant Name:	Ro	ger Ignon				
Filer:	Th	eodore G. Papagian	nis			
Attorney Docket Number:	ED	GE.005C2				
Filed as Small Entity						
Filing Fees for Utility under 35 USC 111(a)						
Description		Fee Code	Quantity	Amount	Sub-Total in USD(\$)	
Basic Filing:						
Pages:						
Claims:						
Miscellaneous-Filing:						
Petition:						
Patent-Appeals-and-Interference:						
Post-Allowance-and-Post-Issuance:						
UTILITY APPL ISSUE FEE		2501	1	480	480	
	_					

Case 2:20-cv-06082-GRB-ST Description)-3 Filed 06// ⁸²⁰ Fee Code	21/22 Pa Quantity	ge 327 of 363 Amount	PageID #: Sub-Total in USD(\$)
Extension-of-Time:				
Miscellaneous:				
	Tot	al in USD	(\$)	480

Case 2:20-cv-06082-GRB-ST Document 69-3 Filed 06/21/22 Page 328 of 363 PageID #: Electronic Acknowledgement Receipt				
27752165				
14698673				
7926				
CONSOLE SYSTEM FOR THE TREATMENT OF SKIN				
Roger Ignon				
20995				
Theodore G. Papagiannis/Christina Graul				
Theodore G. Papagiannis				
EDGE.005C2				
09-DEC-2016				
28-APR-2015				
17:30:39				
Utility under 35 USC 111(a)				

Payment information:

Submitted with Payment	yes
Payment Type	CARD
Payment was successfully received in RAM	\$480
RAM confirmation Number	121216INTEFSW17320900
Deposit Account	111410
Authorized User	Christina Graul

The Director of the USPTO is hereby authorized to charge indicated fees and credit any overpayment as follows:

37 CFR 1.16 (National application filing, search, and examination fees)

37 CFR 1.17 (Patent application and reexamination processing fees)

File Listing:					
Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl
			15826		
1	Transmittal Letter	EDGE005C2_Transmittal.pdf	d879df39d53e2e1ceeb1c313db888f13937 b7a25	no	1
Warnings:		<u> </u>			
Information:					
			943846		
2	Issue Fee Payment (PTO-85B)	EDGE-005C2_Issue_Fee.pdf	2f42755c5c80336cb7670a1ee99ca2e581a6 69aa	no	1
Warnings:				'	
Information:					
			20692	no	2
3	Miscellaneous Incoming Letter	EDGE005C2_Comments.pdf	50b761b33ac8bca33ed6b8434c16fa89935 fbdb7		
Warnings:		-		L	
Information:					
			5542205		
4	Oath or Declaration filed	EDGE-005C2_Declarations.pdf	c0bc5ecced0dac20d45fe9d9b18fb3034fa6 b411	no	5
Warnings:		-		l	
Information:					
			30443		
5	Fee Worksheet (SB06)	fee-info.pdf	64b8e60aa359895f8ad8e9d4e7a3b831619 5011b	no	2
Warnings:					
Information:					

Case 2:20-cv-06082-GRB-ST Document 69-3 Filed 06/21/22 Page 329 of 363 PageID #: 4822

-Case 2:20-cv-06082-GRB-ST Document 69-3 Filed 06/21/22 Page 330 of 363 PageID #:

This Acknowledgement Receipt evidences receipt on the hotel date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503.

New Applications Under 35 U.S.C. 111

If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.

National Stage of an International Application under 35 U.S.C. 371

If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.

New International Application Filed with the USPTO as a Receiving Office

If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.

Docket No.: EDGE.005C2 December 9, 2016 Page 1 of 1

Please Direct All Correspondence to Customer Number 20995

TRANSMITTAL

Inventor Ignon et al.

Appl. No 14/698,673

Filed April 28, 2015

For CONSOLE SYSTEM FOR THE

TREATMENT OF SKIN

Examiner Christian D. Knauss

Art Unit 3731

Conf. No. 7926

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Dear Sir:

In reference to the above-identified application, please find the following:

- Declarations of inventors, namely Roger Ignon, Scott Mallett, Abraham Solano (X) and William Cohen;
- Issue Fee Transmittal; and (X)
- (X) Comments on Statement of Reasons for Allowance.

Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: December 9, 2016 By: /Theodore G. Papagiannis/

> Theodore G. Papagiannis Registration No. 61,546 Attorney of Record Customer No. 20995 (949) 760-0404

Receipt date: 06/22/2015 Document 69-3 Filed 06/21/22 Page 332 of 363 Page ID #: 3734

PTO/SB/08	Equivalent

	Application No.	14/698,673	
INFORMATION DISCLOSURE	Filing Date	April 28, 2015	
STATEMENT BY APPLICANT	First Named Inventor	Ignon et al.	
STATEMENT BY AFFEICANT	Art Unit	Unknown	
(Multiple sheets used when necessary)	Examiner	Unknown	
SHEET 6 OF 13	Attorney Docket No.	EDGE.005C2	

			U.S. PATENT [DOCUMENTS	
Examiner Initials	Cite No.	Document Number Number - Kind Code (if known) Example: 1,234,567 B1	Publication Date MM-DD-YYYY	Name of Patentee or Applicant	Pages, Columns, Lines Where Relevant Passages or Relevant Figures Appear
	146	6,645,184	11-11-2003	Zelickson et al.	
	147	6,652,888	11-25-2003	Rhoades	
	148	6,673,081	01-06-2004	Tavger et al.	
	149	6,673,082	01-06-2004	Mallett et al.	
	150	6,685,853	02-03-2004	Angelopoulous et al.	
	151	6,687,537	02-03-2004	Bernabei	
	152	6,695,853	02-24-2004	Karasiuk	
	153	6,735,470	05-11-2004	Henley et al.	
	154	6,743,215	06-01-2004	Bernabei	
	155	6,764,493	07-20-2004	Weber et al.	
	156	6,869,611	03-22-2005	Kligman et al.	
	157	6,905,487	06-14-2005	Zimmerman	
	158	6,911,031	06-28-2005	Muldner	
	159	6,924,649	08-02-2005	Knoedgen	
	160	6,926,681	08-09-2005	Ramey, et al.	
	161	6,942,649	09-13-2005	Ignon et al.	
	162	7,001,355	02-21-2006	Nunomura et al.	
ıan ge(s) appli	163	7,004,933	02-28-2006	McGaniel McDaniel	
do cument,	164	7,044,938	05-16-2006	La Bianco et al.	
).D./	165	7,052,503	05-30-2006	Bernabei	
24/2016	166	7,069,073	06-27-2006	Henley et al.	
- '/	167	7,070,488	07-04-2006	Suissa et al.	
	168	7083,580	08-01-2006	Bernabei	
	169	7,087,063	08-08-2006	Carson et al.	
	170	7,094,252	08-22-2006	Коор	
	171	7,115,275	10-03-2006	Clarot et al.	
	172	7,135,011	11-14-2006	Powers et al.	
	173	7,153,311	12-26-2006	Chung	
	174	7,197,359	03-27-2007	Tokudome et al.	

Examiner Signature	/Christian Knauss/	Date Considered	07/23/2015

^{*}Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

T¹ - Place a check mark in this area when an English language Translation is attached.

Receipt date: 06/22/2015 Document 69-3 Filed 06/21/22 Page 333 of 363 PageID #: 3734

PTO/SB/08 Equiva

	Application No.	14/698,673
INFORMATION DISCLOSURE	Filing Date	April 28, 2015
STATEMENT BY APPLICANT	First Named Inventor	Ignon et al.
STATEMENT BY AFFEIGANT	Art Unit	Unknown
(Multiple sheets used when necessary)	Examiner	Unknown
SHEET 3 OF 13	Attorney Docket No.	EDGE.005C2

			U.S. PATENT	DOCUMENTS	
Examiner Initials	Cite No.	Document Number Number - Kind Code (if known) Example: 1,234,567 B1	Publication Date MM-DD-YYYY	Name of Patentee or Applicant	Pages, Columns, Lines Where Relevant Passages or Relevant Figures Appear
	59	5,484,427	01-16-1996	Gibbons	
	60	5,562,642	10-08-1996	Smith et al.	
	61	5,611,687	03-18-1997	Wagner	
hange(s) appli	62	5,012,797 5,012,79	⁷ -03-10-1997 O	5~1 <i>99</i> 1 Liang et al.	
o document,	63	5,674,235	10-07-1997	Parisi	
D.D.Z	64	5,676,643	10-14-1997	Cann et al.	
/24/2016	65	5,676,648	10-14-1997	Henley	
	66	5,683,971	11-04-1997	Rose et al.	
	67	5,707,383	01-13-1998	Bays	
	68	5,713,785	02-03-1998	Nishio	
	69	5,759,185	06-02-1998	Grinberg	
	70	5,779,519	07-14-1998	Oliver	
	71	5,800,446	09-01-1998	Banuchi	
	72	5,807,353	09-15-1998	Schmitz	
	73	5,810,842	09-22-1998	Di Fiore at al.	
	74	5,813,416	09-29-1998	Rudolph	
	75	5,817,050	10-06-1998	Klein	
	76	5,846,215	12-08-1998	Zygmont	
	77	5,848,998	12-15-1998	Marasco, Jr.	
	78	5,861,142	01-19-1999	Schick	
	79	5,873,881	02-23-1999	McEwen et al.	
	80	5,879,323	03-09-1999	Henley	
	81	5,882,201	03-16-1999	Salem	
	82	5,885,260	03-23-1999	Mehl, Sr., et al.	
	83	5,908,401	06-01-1999	Henley	
	84	5,919,152	07-06-1999	Zygmont	
	85	5,954,730	09-21-1999	Bernabei	
	86	5,971,999	10-26-1999	Naldoni	
	87	5,980,555	11-09-1999	Barbut et al.	

Examiner Signature	/Christian Knauss/	Date Considered	07/23/2015	
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^{*}Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Receipt date: 06/22/2015 Document 69-3 Filed 06/21/22 Page 334 of 363 PageID #: 4827 14698673 GAU: 3734

		. 10,02,00 Equitation
	Application No.	14/698,673
INFORMATION DISCLOSURE	Filing Date	April 28, 2015
STATEMENT BY APPLICANT	First Named Inventor	Ignon et al.
STATEMENT BY AFFEIGANT	Art Unit	Unknown
(Multiple sheets used when necessary)	Examiner	Unknown
SHEET 2 OF 13	Attorney Docket No.	EDGE.005C2

Examiner Initials	Cite No.	Document Number <i>Number - Kind Code (if known)</i> Example: 1,234,567 B1	Publication Date MM-DD-YYYY	Name of Patentee or Applicant	Pages, Columns, Lines Where Relevant Passages or Relevan Figures Appear
	30	4,764,362	08-16-1988	Barchas	r igares rippear
	31	4,795,421	01-03-1989	Blasius, Jr., et al.	
	32	4,875,287	10-24-1989	Creasy et al.	
	33	4,886,078	12-12-1989	Shiffman	
() 1.	,34	4,887,994	12-12-1989	- Chiffmann Bedford	
ze(s) appli	35	4,900,316	02-13-1990	Yamamoto	
cument,	36	4,917,086	04-17-1990	Feltovich et al.	
(201/	37	4,925,450	05-15-1990	Imonti et al.	
2016	38	4,957,747	09-18-1990	Stiefel	
	39	5,006,004	04-09-1991	Dirksing et al.	
	40	5,006,339	04-09-1991	Bargery et al.	
	41	5,012,797	05-07-1991	Liang et al.	
	42	5,035,089	07-30-1991	Tillman et al.	
	43	5,037,431	08-06-1991	Summers et al.	
	44	5,037,432	08-06-1991	Molinari	
	45	5,100,412	03-31-1992	Rosso	
	46	5,100,424	03-31-1992	Jang	
	47	5,119,839	06-09-1992	Rudolph	
	48	5,122,153	06-16-1992	Harrel	
	49	5,207,234	05-04-1993	Rosso	
	50	5,222,956	06-29-1993	Waldron	
	51	5,242,433	09-07-1993	Smith et al.	
	52	5,254,109	10-19-1993	Smith et al.	
	53	5,368,581	11-29-1994	Smith et al.	
	54	5,391,151	02-21-1995	Wilmot	
	55	5,417,674	05-23-1995	Smith et al.	
	56	5,419,772	05-30-1995	Teitz et al.	
	57	5,460,620	10-24-1995	Smith et al.	
	58	5,470,323	11-28-1995	Smith et al.	

Examiner Signature /Christian Knauss/	Date Considered 07/23/2015
---------------------------------------	----------------------------

^{*}Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

T¹ - Place a check mark in this area when an English language Translation is attached.

Case 2:20-cv-06082-GRB-ST Document 69-3 Filed 06/21/22 Page 335 of 363 PageID #:

United States Patent and Trademark Office

UNITED STATES DEPARTMENT OF COMMERCE United States Patent and Trademark Office Address: COMMISSIONER FOR PATENTS P.O. Box 1450 Alexandria, Virginia 22313-1450 www.uspto.gov

 APPLICATION NO.
 ISSUE DATE
 PATENT NO.
 ATTORNEY DOCKET NO.
 CONFIRMATION NO.

 14/698,673
 01/24/2017
 9550052
 EDGE.005C2
 7926

20995 7590

01/04/2017

KNOBBE MARTENS OLSON & BEAR LLP 2040 MAIN STREET FOURTEENTH FLOOR IRVINE, CA 92614

ISSUE NOTIFICATION

The projected patent number and issue date are specified above.

Determination of Patent Term Adjustment under 35 U.S.C. 154 (b)

(application filed on or after May 29, 2000)

The Patent Term Adjustment is 0 day(s). Any patent to issue from the above-identified application will include an indication of the adjustment on the front page.

If a Continued Prosecution Application (CPA) was filed in the above-identified application, the filing date that determines Patent Term Adjustment is the filing date of the most recent CPA.

Applicant will be able to obtain more detailed information by accessing the Patent Application Information Retrieval (PAIR) WEB site (http://pair.uspto.gov).

Any questions regarding the Patent Term Extension or Adjustment determination should be directed to the Office of Patent Legal Administration at (571)-272-7702. Questions relating to issue and publication fee payments should be directed to the Application Assistance Unit (AAU) of the Office of Data Management (ODM) at (571)-272-4200.

APPLICANT(s) (Please see PAIR WEB site http://pair.uspto.gov for additional applicants):

Roger Ignon, Redondo Beach, CA; EDGE SYSTEMS LLC, Signal Hill, CA; Scott Mallett, Coto De Caza, CA; Abraham Solano, Corona, CA; William Cohen, Los Alamitos, CA;

The United States represents the largest, most dynamic marketplace in the world and is an unparalleled location for business investment, innovation, and commercialization of new technologies. The USA offers tremendous resources and advantages for those who invest and manufacture goods here. Through SelectUSA, our nation works to encourage and facilitate business investment. To learn more about why the USA is the best country in the world to develop technology, manufacture products, and grow your business, visit <u>SelectUSA.gov</u>.

AO 120 (Rev. 08/10)

TO:

Mail Stop 8 Director of the U.S. Patent and Trademark Office P.O. Box 1450 Alexandria, VA 22313-1450

REPORT ON THE FILING OR DETERMINATION OF AN ACTION REGARDING A PATENT OR TRADEMARK

In Compliane filed in the U.S. Dist			I116 you are hereby advised that a cour STRICT OF CALIFORNIA	t action has been on the following
	Patents. (the patent action			
DOCKET NO. 2:17-cv-8699	DATE FILED 12/1/2017	U.S. DIS	TRICT COURT CENTRAL DISTRICT OF	CALIFORNIA
PLAINTIFF			DEFENDANT	
	a California limited liability DSCIENCES, LLC, a Delav	ware	IMAGE MICRODERM INC., a N	Nevada corporation
PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK		HOLDER OF PATENT OR T	FRADEMARK
1 6,641,591	11/4/2003	Axia	MedSciences, LLC	
2 7,789,886	9/7/2010	Axia	MedSciences, LLC	
3 8,066,716	11/29/2011	Axia	MedSciences, LLC	
4 8,337,513	12/25/2012	Axia	MedSciences, LLC	
5 9,468,464	10/18/2016	Axia	MedSciences, LLC	
***************************************		following :	patent(s)/ trademark(s) have been includ	ed:
DATE INCLUDED	INCLUDED BY	ndment	☐ Answer ☐ Cross Bill	Other Pleading
PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK		HOLDER OF PATENT OR T	FRADEMARK
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In the abov	e-entitled case, the following d	lecision ha	s been rendered or judgement issued:	
DECISION/JUDGEMENT				
see attached Final	Consent Judgment			
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KIRY K. GRAY	مشي	and the same	The state of the s	5/23/19

1	IT IS SO STIPULATED AND	AGREED
2	R	espectfully submitted,
3	K	NOBBE, MARTENS, OLSON & BEAR, LLP
4		
5	Dated: May 20, 2019 B	y: <u>/s/ Paul A. Stewart</u> Paul A. Stewart
6		paul.stewart@knobbe.com Ali S. Razai
7		ali.razai@knobbe.com
8	. A F	attorneys for Plaintiffs DGE SYSTEMS LLC and XIA MEDSCIENCES, LLC
9	Ā	IXIA MEDSCIENCES, LLC
10		I A NIZINI D A TUTNITU I A XXI A IMU
11	Γ	IANKIN PATENT LAW, APC
12	Dated: May 20, 2019 B	y: /Marc E. Hankin/ (with permission)
13		Marc E. Hankin marc@hankinpatentlaw.com
14		Anooj Patel anooj@hankinpatentlaw.com
15	A	Attorneys for Defendant, MAGE MICRODERM, INC.
16	11	MAGE MICKODERM, INC.
17	IT IS SO ORDERED AND DI	ECREED, AND FINAL JUDGMENT IS
18		Out 1 12.
19	3123119	THE A TO
20		Honorable Philip S. Gutierrez
21		Honorable Philip S. Gutierrez United States District Judge
22	30557834	
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REPORT ON THE FILING OR DETERMINATION OF AN ACTION REGARDING A PATENT OR TRADEMARK (Continued)

Docket No. Date Filed 2:17-cv-8699 12/1/2017			U.S. District Court For the Central District of California	
	PATENT NO. DATE OF PATENT HOLDER OF PATENT		HOLDER OF PATENT	
6	9,550,052	1/24/2017	Edge Systems LLC	
7	9,775,646	10/3/2017	Axia MedSciences, LLC	

E-FILED 5/23/19 Paul Stewart (SBN 153,467) 1 paul.Stewart@knobbe.com JS-6 Ali S. Razai (SBN 246,922) ali.razai@knobbe.com KNOBBE, MARTENS, OLSON & BEAR, LLP 2 3 2040 Main Street, Fourteenth Floor Irvine, CA 92614 4 Telephone: (949) 760-0404 Facsimile: (949) 760-9502 5 Attorneys for Plaintiffs EDGE SYSTEMS LLC and 6 AXIA MEDSCIENCES, LLC 7 Marc E. Hankin (SBN 170,505) marc@hankinpatentlaw.com Anooj Patel (SBN 300.297) 8 anooj@hankinpatentlaw.com QHANKIN PATENT LAW, APC 12400 Wilshire Boulevard, Suite 1265 Los Angeles, CA 90025 Telephone: (310) 979-3600 Facsimile: (310) 979-3603 10 11 12 Attorneys for Defendant IMAGE MICRODERM, INC. 13 14 IN THE UNITED STATES DISTRICT COURT 15 FOR THE CENTRAL DISTRICT OF CALIFORNIA 16 WESTERN DIVISION 17 EDGE SYSTEMS LLC, a California Civil Action No. 18 2:17-CV-08699-PSG-AGR limited liability company, and AXIA MEDSCIENCES, LLC, a Delaware 19 limited liability company, [PROPOSED] 20 Plaintiffs. FINAL CONSENT JUDGMENT 21 OF WILLFUL INFRINGEMEN V. AND PERMANENT 22 IMAGE MICRODERM, INC., a Nevada **INJUNCTION** corporation, 23 Defendant. 24 25 AND RELATED COUNTERCLAIMS AND COUNTERCLAIMS-IN-REPLY 26 27 28

///

Plaintiffs Edge Systems LLC ("Edge") and Axia Medsciences, LLC (collectively, "Plaintiffs") and Defendant Image Microderm, Inc. ("Defendant") hereby stipulate and jointly move for entry of final judgment as follows:

- 1. That this Court has subject matter jurisdiction over this action as well as personal jurisdiction over Plaintiffs and Defendant.
 - 2. That venue is proper in this judicial district.
- 3. That Edge owns each of U.S. Patent Nos. 6,641,591 ("the 591 Patent"), 7,789,886 ("the '886 Patent"), 8,066,716 ("the '716 Patent"), 8,337,513 ("the '513 Patent"), 9,468,464 ("the '464 Patent"), 9,775,646 ("the '646 Patent") and 9,550,052 ("the '052 Patent") (collectively, the "patents-in-suit").
- 4. That each of the patents-in-suit is valid and enforceable, and that Defendant shall not challenge the validity or enforceability of any of the patents-in-suit in any judicial, administrative, or other proceeding.
- 5. That Defendant has manufactured, used, sold, offered for sale, and/or imported into the United States the BioXFusion MD product shown in Exhibit A.
- 6. That Defendant has manufactured, used, sold, offered for sale, and/or imported into the United States the BioXFusion Mini product shown in Exhibit B.
- 7. That the manufacture, use, sale, offer for sale, and/or importation into the United States of the BioXFusion MD product shown in <u>Exhibit A</u> infringes each of the '591 Patent, the '886 Patent, the '716 Patent, the '513 Patent, the '464 Patent, the '646 Patent, and the '052 Patent.
- 8. That the manufacture, use, sale, offer for sale, and/or importation into the United States of the BioXFusion Mini product shown in <u>Exhibit B</u> infringes each of the '591 Patent, the '886 Patent, the '716 Patent, the '513 Patent, the '464 Patent, and the '646 Patent.

- 9. That through the manufacture, use, sale, offer for sale, and/or importation into the United States of the BioXFusion MD product shown in Exhibit A, Defendant has infringed each of the '591 Patent, the '886 Patent, the '716 Patent, the '513 Patent, the '464 Patent, the '646 Patent, and the '052 Patent.
- 10. That through the manufacture, use, sale, offer for sale, and/or importation into the United States of the BioXFusion Mini product shown in Exhibit B, Defendant has infringed each of the '591 Patent, the '886 Patent, the '716 Patent, the '513 Patent, the '464 Patent, and the '646 Patent.
- 11. That Defendant induced its customers to infringe each of the '591 Patent, the '886 Patent, the '716 Patent, the '513 Patent, the '464 Patent, and the '646 Patent, by using the BioXFusion MD product shown in Exhibit A because Defendant had knowledge of each of these patents-in-suit, Defendant knew that its customers would infringe each of these patents by using the BioXFusion MD product shown in Exhibit A, and Defendant had the specific intent to induce and did induce its customers to infringe each of these patents-in-suit by using the BioXFusion MD product shown in Exhibit A.
- Patent, the '886 Patent, the '716 Patent, the '513 Patent, the '464 Patent, and the '646 Patent, by selling and/or offering for sale the BioXFusion MD product shown in Exhibit A, because Defendant had knowledge of each of these patents-in-suit, Defendant knew that distributors would infringe each of these patents by selling and/or offering for sale the BioXFusion MD product shown in Exhibit A, and Defendant had the specific intent to induce and did induce distributors to infringe each of these patents-in-suit by selling and/or offering for sale the BioXFusion MD product shown in Exhibit A.
- 13. That Defendant induced its customers to infringe each of the '591 Patent, the '886 Patent, the '716 Patent, the '513 Patent, the '464 Patent, and the '646 Patent by using the BioXFusion Mini product shown in <u>Exhibit B</u> because

Defendant had knowledge of each of the '591 Patent, the '886 Patent, the '716 Patent, the '513 Patent, the '464 Patent, and the '646 Patent, Defendant knew that its customers would infringe each of the '591 Patent, the '886 Patent, the '716 Patent, the '513 Patent, the '464 Patent, and the '646 Patent by using the BioXFusion Mini product shown in Exhibit B, and Defendant had the specific intent to induce and did induce its customers to infringe each of the '591 Patent, the '886 Patent, the '716 Patent, the '513 Patent, the '464 Patent, and the '646 Patent by using the BioXFusion Mini product shown in Exhibit B.

- Patent, the '886 Patent, the '716 Patent, the '513 Patent, the '464 Patent, and the '646 Patent by selling and/or offering for sale the BioXFusion Mini product shown in Exhibit B because Defendant had knowledge of each of the patents-insuit, Defendant knew that distributors would infringe each of the patents by selling and/or offering for sale the BioXFusion Mini product shown in Exhibit B, and Defendant had the specific intent to induce and did induce distributors to infringe each of the '591 Patent, the '886 Patent, the '716 Patent, the '513 Patent, the '464 Patent by selling and/or offering for sale the BioXFusion Mini product shown in Exhibit B.
- 15. That Defendant's infringement of each of the '591 Patent, the '886 Patent, the '716 Patent, the '513 Patent, the '464 Patent, and the '646 Patent was willful.
- 16. That, pursuant to the Patent Act, 35 U.S.C. § 283, Defendant, together with its officers, directors, agents, servants, employees and affiliates thereof, representatives and attorneys, and all other persons acting or attempting to act in concert or participation with them, are permanently enjoined and restrained from making, using, selling, offering to sell, or importing into the United States, the BioXFusion MD product shown in Exhibit A, the BioXFusion Mini product shown in Exhibit B, or any other goods that are infringements of

the'591 Patent during the life of the '591 Patent.

- 17. That, pursuant to the Patent Act, 35 U.S.C. § 283, Defendant, together with its officers, directors, agents, servants, employees and affiliates thereof, representatives and attorneys, and all other persons acting or attempting to act in concert or participation with them, are permanently enjoined and restrained from making, using, selling, offering to sell, or importing into the United States, the BioXFusion MD product shown in Exhibit A, the BioXFusion Mini product shown in Exhibit B, or any other goods that are infringements of the '886 Patent during the life of the '886 Patent.
- 18. That, pursuant to the Patent Act, 35 U.S.C. § 283, Defendant, together with its officers, directors, agents, servants, employees and affiliates thereof, representatives and attorneys, and all other persons acting or attempting to act in concert or participation with them, are permanently enjoined and restrained from making, using, selling, offering to sell, or importing into the United States, the BioXFusion MD product shown in Exhibit A, the BioXFusion Mini product shown in Exhibit B, or any other goods that are infringements of the '716 Patent during the life of the '716 Patent.
- 19. That, pursuant to the Patent Act, 35 U.S.C. § 283, Defendant, together with its officers, directors, agents, servants, employees and affiliates thereof, representatives and attorneys, and all other persons acting or attempting to act in concert or participation with them, are permanently enjoined and restrained from making, using, selling, offering to sell, or importing into the United States, the BioXFusion MD product shown in Exhibit A, the BioXFusion Mini product shown in Exhibit B, or any other goods that are infringements of the '513 Patent during the life of the '513 Patent.
- 20. That, pursuant to the Patent Act, 35 U.S.C. § 283, Defendant, together with its officers, directors, agents, servants, employees and affiliates thereof, representatives and attorneys, and all other persons acting or attempting

- 21. That, pursuant to the Patent Act, 35 U.S.C. § 283, Defendant, together with its officers, directors, agents, servants, employees and affiliates thereof, representatives and attorneys, and all other persons acting or attempting to act in concert or participation with them, are permanently enjoined and restrained from making, using, selling, offering to sell, or importing into the United States, the BioXFusion MD product shown in Exhibit A, the BioXFusion Mini product shown in Exhibit B, or any other goods that are infringements of the '646 Patent during the life of the '646 Patent.
- 22. That, pursuant to the Patent Act, 35 U.S.C. § 283, Defendant, together with its officers, directors, agents, servants, employees and affiliates thereof, representatives and attorneys, and all other persons acting or attempting to act in concert or participation with them, are permanently enjoined and restrained from making, using, selling, offering to sell, or importing into the United States, the BioXFusion MD product shown in Exhibit A or any other goods that are infringements of the '052 Patent during the life of the '052 Patent.
- 23. That Defendant is enjoined from inducing others from undertaking any of the actions prohibited by any of Paragraphs 16-22 of this Final Consent Judgment and Permanent Injunction.
- 24. That Defendant has breached Paragraph 5 of the Parties' August 2014 Settlement Agreement attached as <u>Exhibit C"</u> ("2014 Agreement").
- 25. That the covenant not to sue granted to Defendant by Plaintiffs in Paragraph 5 of the 2014 Agreement is null and void, but that all other provisions of the 2014 Agreement remain in effect.

- 26. That Final Judgment be entered in favor of Plaintiffs and against Defendant on all claims, counterclaims, and defenses in this action.
- 27. That Defendant has not paid any compensation for the infringing acts described herein.
- Plaintiffs or Defendant with respect to each other, and that Plaintiffs will not seek any further relief, monetary or otherwise, from Defendant and/or from any of Defendant's officers, directors, agents, servants, employees and affiliates, representatives and attorneys, and/or any and all other persons and/or entities acting and/or attempting to act in concert and/or participation with them, including but not limited to, any and all of Defendant's distributors and/or customers, for any acts and/or omissions relating to the allegations of the Complaint in this matter. Plaintiff's agreement not to seek further relief from Defendant's distributors and/or customers shall be void against any distributor or customer who files an action for declaratory relief against Plaintiff relating to any of the patents in suit. For the avoidance of doubt, no license or release is hereby created in favor of Defendant's distributors or customers, who are receiving only a conditional personal immunity from suit.
- 29. That Defendant affirmatively waives any and all rights to appeal this Final Consent Judgment and Permanent Injunction.
- 30. That this Court retain jurisdiction over this matter to enforce compliance with the Permanent Injunction.
- 31. That each party will bear its own costs and attorneys' fees for this action.

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TO:

Mail Stop 8
Director of the U.S. Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

REPORT ON THE FILING OR DETERMINATION OF AN ACTION REGARDING A PATENT OR TRADEMARK

In Compliance	e with 35 U.S.C. § 290 and/or	15 U.S.C. § 1116 you are hereby advised that a co	ourt action has been
filed in the U.S. Dist	rict Court	Eastern District of New York	on the following
☐ Trademarks or •	Patents. (the patent ac	tion involves 35 U.S.C. § 292.):	
DOCKET NO. 20cv6082(GRB)(ST)	DATE FILED 12/14/2020	U.S. DISTRICT COURT Eastern District of	New York
PLAINTIFF		DEFENDANT	
Edge Systems LLC		Cartessa Aesthetics, LLC	
PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT O	R TRADEMARK
1 6,641,591 B1	11/4/2003	John H. Shadduck	
· ·			
2 8,066,716 B2	11/29/2011	Axia MedSciences, LL	
3 8,337,513 B2	12/25/2012	Axia MedSciences, LLC	
4 9,550,052 B2	1/24/2017	Edge Systems LLC	
5 9,775,646 B2	10/3/2017	Axia MedSciences, LLC	
	•		
	In the above—entitled case, th	ne following patent(s)/ trademark(s) have been inc	luded:
DATE INCLUDED	INCLUDED BY		
PATENT OR	DATE OF PATENT	nendment Answer Cross Bill	Other Pleading
TRADEMARK NO.	OR TRADEMARK	HOLDER OF PATENT O	R TRADEMARK
1			
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	ve—entitled case, the following	g decision has been rendered or judgement issued:	
DECISION/JUDGEMENT			
CLERK	(B)	Y) DEPUTY CLERK	DATE

EXHIBIT E

UNITED STATES DISTRICT COURT EASTERN DISTRICT OF NEW YORK	
EDGE SYSTEMS LLC,	

FILED CLERK

3:22 pm, Nov 29, 2021

U.S. DISTRICT COURT
EASTERN DISTRICT OF NEW YORK
LONG ISLAND OFFICE

Plaintiff,

-against-

MEMORANDUM AND ORDER

CARTESSA AESTHETICS, LLC,

20-CV-6082 (GRB)(ST)

Defendant. ------X

APPEARANCES:

Sean Michael Murray Attorney for Plaintiff Knobbe Martens 2040 Main St., 14th Floor Irvine, CA 92614

Steven P. Tepera

Attorney for Defendant
Pillsbury Winthrop Shaw Pittman LLP
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Austin, TX 78701

David George Keyko

Attorney for Defendant

Pillsbury Winthrop Shaw Pittman LLP
31 West 52nd Street

New York, NY 10019

GARY R. BROWN, United States District Judge:

In this action, plaintiff Edge Systems LLC ("Edge") seeks recovery for purported infringement of several U.S. Patents¹ against defendant Cartessa Aesthetics, LLC ("Cartessa"), all relating to claimed inventions and improvements in hydradermabrasion systems for treating skin. Both plaintiff and defendant produce and market skincare treatment machines. Upon request of

¹ At issue are U.S. Patent Nos. 6,641,591; 8,066,716; and 8,337,513 (collectively the "Asserted Patents"). The parties resolved construction disputes related to U.S. Patent Nos. 9,550,052 and 9,775,646 prior to the hearing.

the parties, the Court conducted an expedited *Markman* hearing to resolve claim construction issues as to certain disputed terms. Additionally, the Court heard argument regarding a motion to strike Cartessa's affirmative defense of unclean hands. This opinion follows.

Procedural History

Plaintiff commenced this action for patent infringement under 35 U.S.C. §§ 271, 284, and 285 against defendant via the filing of a complaint in December 2020. Docket Entry ("DE") 1. In February 2021, defendant filed its answer followed by an amended answer. DE 17, 19. In an oral decision on April 14, 2021, the Court granted a motion to strike the affirmative defense of unclean hands. DE 25. In response, defendant filed a second amended answer. DE 29. In so doing, the defendant supplemented its unclean hands defense, adding several pages of supporting facts. *Id.* Plaintiff then refiled the motion to strike. DE 32. While the motion to strike was outstanding, the parties filed a stipulation setting forth a joint disputed claims term chart, DE 35, and submitted claim construction briefs. DE 38-42. On October 19, 2021, the Court held a *Markman* claim construction hearing. Neither side produced testimony.

Claim Construction Standards

Several years ago, then-district court Judge Joseph Bianco penned a cogent, thorough description of the applicable standard for a *Markman* hearing:

Claim construction is "exclusively within the province of the court." *Markman v. Westview Instruments, Inc.*, 517 U.S. 370, 372 (1996). Such construction "begins and ends" with the claim language itself, *Renishaw PLC v. Marposs Societa' per Azioni*, 158 F.3d 1243, 1248 (Fed. Cir. 1998), but the court may consult extrinsic evidence "if needed to assist in determining the meaning or scope of technical terms in the claims," *Pall Corp. v. Micron Separations, Inc.*, 66 F.3d 1211, 1216 (Fed. Cir. 1995); *see Vitronics Corp. v. Conceptronic, Inc.*, 90 F.3d 1576, 1584 (Fed. Cir. 1996) (explaining that the court may rely on extrinsic evidence, including expert and inventor testimony, dictionaries, and learned treaties).

In construing the claim language, the court must begin with the principle that "the words of a claim 'are generally given their ordinary and customary meaning."

(Phillips v. AWH Corp., 415 F.3d 1303, 1312 (Fed. Cir. 2005) (en banc) (quoting Vitronics, 90 F.3d at 1582)). This ordinary and customary meaning "is the meaning that the [claim] term would have to a person of ordinary skill in the art in question at the time of the invention, i.e., as of the effective filing date of the patent application." Id. at 1313. "[T]he person of ordinary skill in the art is deemed to read the claim term not only in the context of the particular claim in which the disputed term appears, but in the context of the entire patent, including the specification." Id.

"In some cases, the ordinary meaning of claim language as understood by a person of skill in the art may be readily apparent even to lay judges, and claim construction in such cases involves little more than the application of the widely accepted meaning of commonly understood words." *Id.* at 1314. "In such circumstances general purpose dictionaries may be helpful." *Id.* In other cases, "determining the ordinary and customary meaning of the claim requires examination of terms that have a particular meaning in a field of art." *Id.* In those cases, "the court looks to those sources available to the public that show what a person of skill in the art would have understood the disputed claim language to mean." *Id.* (internal quotation marks and citation omitted). These sources include "the words of the claims themselves, the remainder of the specification, the prosecution history, and extrinsic evidence concerning relevant scientific principles, the meaning of technical terms, and the state of the art." *Id.*

When the specification reveals a special definition given to a claim term by the patentee that differs from the meaning it would otherwise possess, the inventor's lexicography governs. *Id.* at 1316. Nevertheless, it is improper to read limitations from the specification into the claim. *Callicrate v. Wadsworth Mfg., Inc.*, 427 F.3d 1361, 1368 (Fed. Cir. 2005) ("'[I]f we once begin to include elements not mentioned in the claim, in order to limit such claim . . . we should never know where to stop." (alteration in original) (quoting *Phillips*, 415 F.3d at 1312)). Thus, the court "do[es] not import limitations into claims from examples or embodiments appearing only in a patent's written description, even when a specification describes very specific embodiments of the invention or even describes only a single embodiment, unless the specification makes clear that 'the patentee . . . intends for the claims and the embodiments in the specification to be strictly coextensive." *JVW Enters., Inc. v. Interact Accessories, Inc.*, 424 F.3d 1324, 1335 (Fed.Cir.2005) (internal citations omitted).

Easyweb Innovations, LLC v. Twitter, Inc., No. 11-CV-4550 (JFB), 2016 WL 1253674, at *5 (E.D.N.Y. Mar. 30, 2016), aff'd, 689 F. App'x 969 (Fed. Cir. 2017); Soter Technologies, LLC, v. IP Video Corp., No. 20 CV 2989 (GRB), 2021 WL 4553188, at *1-2 (E.D.N.Y. Oct. 5, 2021)

(same); Seoul Semiconductor Co., Ltd. v. Satco Prods., Inc., No. 19-CV-4951 (GRB), 2021 WL 4810165, at *1-2 (E.D.N.Y Oct. 15, 2021) (same). The Federal Circuit has further held:

Claim construction seeks to ascribe the meaning to claim terms as a person of ordinary skill in the art at the time of invention would have understood them. Phillips v. AWH Corp., 415 F.3d 1303, 1312–14 (Fed. Cir. 2005) (en banc) (citing Vitronics Corp. v. Conceptronic, Inc., 90 F.3d 1576, 1582 (Fed. Cir. 1996)). In an IPR proceeding, claims are given their broadest reasonable interpretation in light of the specification. In re Cuozzo Speed Techs., LLC, 793 F.3d 1268, 1279 (Fed. Cir. 2015), cert. granted sub nom. Cuozzo Speed Techs., LLC v. Lee, — U.S. —, 136 S.Ct. 890, 193 L.Ed.2d 783 (2015). In construing terms, "the person of ordinary skill in the art is deemed to read the claim term not only in the context of the particular claim in which the disputed term appears, but in the context of the entire patent, including the specification." *Phillips*, 415 F.3d at 1313. Indeed, the specification is "the single best guide to the meaning of a disputed term" and "[u]sually, it is dispositive." Id. Thus, "claims 'must be read in view of the specification, of which they are a part." *Id.* at 1315 (quoting *Markman v. Westview* Instruments, Inc., 52 F.3d 967, 979 (Fed. Cir. 1995) (en banc), aff'd, 517 U.S. 370, 116 S.Ct. 1384, 134 L.Ed.2d 577 (1996)).

SAS Inst., Inc. v. ComplementSoft, LLC., 825 F.3d 1341, 1347 (Fed. Cir. 2016), rev'd and remanded on other grounds sub nom. SAS Inst., Inc. v. Iancu, 138 S. Ct. 1348 (2018). With this standard in mind, the Court turns to the disputed claim terms.

Discussion

1. Markman Hearing

Before the hearing, counsel appropriately met and conferred, significantly reducing the number of disputed claim terms, resulting in conservation of judicial resources and substantial cost savings for the litigants. Counsel identified eleven disputes, but, in reality, these disputes revolved around three terms: abrade, sharp, and "sharp edge configured to abrade skin." As such, the Court will focus on the principal disputes. *See Interactive Wearables, LLC v. Polar Electro Oy*, 501 F. Supp. 3d 162, 171 (E.D.N.Y. 2020) ("Addressing every claim of a challenged patent individually is not necessary where multiple claims are substantially similar and linked to the same abstract idea. Thus, where the claims asserted in the patent contain only minor differences in terminology

[but] require performance of the same basic process, they should rise or fall together.") (citation omitted).² These disputes are identified and defined by the parties as follows:

Disputed Term	Edge's Proposed	Cartessa's Proposed	
	Construction	Construction	
Abrade/abrading/abraded	remove a portion of the skin surface by friction.	These terms are indefinite.	
	Note that "a portion"	In the alternative, they	
	means more than a de	should [be] construed to	
	minimis amount of skin	mean:	
		scape/scraping/scaped	
sharp	"edges sufficiently sharp	edge[s] shaped for cutting	
	to abrade skin, but not		
	necessarily sharp		
	enough to cut the skin"		
Sharp edge configured to	The parties consent to the following construction:		
abrade skin			
	"sharp edges that are positioned such that the sharp		
	edge abrades tissue," see infra Section 1(B)		

DE. 35, Ex. A. The Court hereby construes the claims as follows:

A. "Abrade" and "Sharp."

The Federal Circuit has upheld *Markman* determinations that "declined to further construe [a] term because it was a 'straightforward term' that required no construction." *Summit 6, LLC v. Samsung Elecs. Co.*, 802 F.3d 1283, 1291 (Fed. Cir. 2015). Claim construction "is not an obligatory exercise in redundancy." *U.S. Surgical Corp. v. Ethicon, Inc.*, 103 F.3d 1554, 1568 (Fed. Cir. 1997). Two of the disputed terms – "abrade" and "sharp" – fall squarely in this category. Despite etymological sparring by the parties, common meanings prove satisfactory at this juncture.

Such a holding is consistent with courts which have reviewed these terms in the same or similar patents. One district judge reviewed these terms in each of the Asserted Patents and found:

The Court finds the terms "abrade," "abrasive," "abrading," and their other variations as used in the Asserted Patents are easily understood in the surrounding

² Variations of the disputed terms abrade and sharp appear in each of the Asserted Patents – '591, '716, and '513 – in several claims. For simplicity, the definitions articulated in this opinion apply to all claims involving these concepts.

context of the claim language and specification. The Court finds no construction necessary for the term "abrade" and its variations in the context of the Asserted Patents.

. . .

The Court declines to construe the overall claim phrases that include the terms "sharp edge[s]" and/or "sharp element[s]." Although the Court is not particularly persuaded that these claim phrases need construction at all, it adopts Plaintiffs' proposal and construes the smaller terms "sharp edge[s]" / "sharp element[s]" as "edge[s]/element[s] sufficiently sharp to abrade skin."

Edge Sys. LLC v. Aesthetic Skin Sys. LLC, No. 17-cv-4597 (PSG) (AFM), DE 79 at 12, 16 (C.D. Cal Jan. 8, 2019). Another district judge similarly reviewed these terms, and though settling upon negotiated definitions, noted:

In the end, the Court concludes that ordinary jurors will have little difficulty determining whether or not an "edge" is "sharp"—or, to be more precise, whether something does, or does not, constitute a "sharp edge."

Edge Sys., LLC v. Venus Concept USA Inc., No. 18-cv-62588, 2019 WL 3936379, at *6 (S.D. Fla. Aug. 20, 2019). "Abrade" is commonly understood in many contexts, including in relation to skin. As to "sharp," anyone who has shaved with a razor, eaten with a knife, or trimmed a fingernail should readily understand this term. The definitions urged by the parties fail to provide further enlightenment. Given the relative simplicity of the terms abrade and sharp, the Court declines to construe them and instead assigns the terms their plain and ordinary meanings. Summit 6, LLC, 802 F.3d at 1291 ("straightforward term"... required no construction").

B. Sharp edge configured to abrade skin.

During the hearing, the parties, working with the Court, came to a compromise on the meaning of the term "sharp edge configured to abrade skin." DE 47at 56. This term shall, upon consent of the parties, be construed to mean "sharp edges that are positioned such that the sharp edge abrades tissue." *Id.* at 57-59. This stipulated construction helps clarify that the

"configuration" of the edge refers to its physical positioning rather than, for example, something inherent in its design.

2. Motion to Strike

Under Fed. R. Civ. P. 12(f), the Court may strike any "insufficient defense." A motion to strike an affirmative defense is not favored and will not be granted unless "it appears to a certainty that plaintiffs would succeed despite any state of the facts which could be proved in support of the defense." William Z. Salcer, Panfeld, Edelman v. Envicon Equities Corp., 744 F.2d 935, 939 (2d Cir. 1984), vacated on other grounds, 478 U.S. 1015 (1986). "If sufficiency of the defense depends on disputed issues of fact or questions of law, a motion to strike should not be granted." Entergy Nuclear Fitzpatrick, LLC v. United States, 93 Fed. Cl. 739, 742 (2010), adhered to on denial of reconsideration, 101 Fed. Cl. 464 (2011), aff'd, 711 F.3d 1382 (Fed. Cir. 2013) (quoting System Fuels, Inc. v. United States, 73 Fed.Cl. 206, 216 (2006)). The standard for striking an affirmative defense is three-pronged: (1) there must be no question of fact that might allow the defense to succeed; (2) there must be no substantial question of law that might allow the defense to succeed; and (3) the plaintiff must be prejudiced by the inclusion of the defense. See GEOMC Co. v. Calmare Therapeutics Inc., 918 F.3d 92, 97-99 (2d Cir. 2019) (clarifying the three-prong test established in S.E.C. v. McCaskey, 56 F. Supp. 2d 323, 326 (S.D.N.Y. 1999)). "[T]he plausibility standard of Twombly applies to determining the sufficiency of . . . an affirmative defense, but with recognition that, as the Supreme Court explained in Igbal, applying the plausibility standard to any pleading is a 'context-specific' task." *Id.* at 98. "A factually sufficient and legally valid defense should always be allowed if timely filed even if it will prejudice the plaintiff by expanding the scope of the litigation. A defendant with such a defense is entitled to a full opportunity to assert it and have it adjudicated before a plaintiff may impose liability." *Id.*

The Second Circuit has held that "[a]ffirmative defenses which amount to nothing more than mere conclusions of law and are not warranted by any asserted facts have no efficacy." *Shechter v. Comptroller of New York*, 79 F.3d 265, 270 (2d Cir.1996) (quoting *Nat'l Acceptance Co. of Am. v. Regal Prods., Inc.*, 155 F.R.D. 631, 634 (E.D.Wis.1994) ("affirmative defenses are pleadings, and therefore, are subject to all pleading requirements of the Federal Rules of Civil Procedure")) (internal quotation marks and citations omitted).

Unclean hands may be found "where some unconscionable act of one coming for relief has immediate and necessary relation to the equity that he seeks in respect of the matter in litigation," i.e., "for such violations of conscience as in some measure affect the equitable relations between the parties in respect of something brought before the court." Keystone Driller Co. v. General Excavator Co., 290 U.S. 240, 245 (1933). The unclean hands defense is an "ordinance that closes the doors of a court of equity to one tainted with inequitableness or bad faith relative to the matter in which he seeks relief." Precision Instrument Mfg. Co. v. Automotive Maint. Mach. Co., 324 U.S. 806, 814 (1945). "Any willful act concerning the cause of action which rightfully can be said to transgress equitable standards of conduct is sufficient cause for the invocation of the maxim by the chancellor." Id. at 815. A defense of unclean hands may be based on fraudulent conduct, but it does not require such a showing. See, e.g., Gilead Sciences, Inc. v. Merck & Co, 888 F.3d 1231, 1239 (Fed. Cir. 2018) (unclean hands premised on business and litigation misconduct); see also Abbvie Inc. v. Boehringer Ingelhelm Int'l GmbH, No. 17-CV-01065-MS, 2018 WL 2604825, at *1 (D. Del. June 4, 2018) (unclean hands does not require a showing of fraud); Personalized Media Commc'ns, LLC v. Apple, Inc., No. 2:15-CV-01366-JRG, 2021 WL 357495, at *6 (E.D. Tex. Feb. 2, 2021), adopted by, 2021 WL 2697610 (E.D. Tex. Feb. 13, 2021) ("unclean hands does not require a showing of fraud.").

To establish a defense of inequitable conduct, "the accused infringer must prove that the patentee acted with the specific intent to deceive the PTO. A finding that the misrepresentation or omission amounts to gross negligence or negligence under a 'should have known' standard does not satisfy this intent requirement." *Therasense, Inc. v. Becton, Dickinson & Co.*, 649 F.3d 1276, 1290 (Fed. Cir. 2011). "[T]he inequitable conduct doctrine evolved from . . . unclean hands cases, [and] it came to embrace a broader scope of misconduct, including not only egregious affirmative acts of misconduct intended to deceive both the PTO and the courts but also the mere nondisclosure of information to the PTO." *Id.* at 1287.

Claims of unclean hands, absent allegations of fraud, are pled under the plausibility standard of Fed. R. Civ. P. 8. By contrast, claims of inequitable conduct must be plead under the heightened Fed. R. Civ. P. 9(b) standard, which requires that "the circumstances constituting fraud or mistake . . . be stated with particularity." *Exergen Corp. v. Wal–Mart Stores, Inc.*, 575 F.3d 1312, 1326 (Fed. Cir. 2009); *see also Ferguson Beauregard,/Logic Controls, Div. of Dover Resources, Inc. v. Mega Sys., LLC*, 350 F.3d 1327, 1344 (Fed. Cir. 2003) (stating that "inequitable conduct, while a broader concept than fraud, must be pled with particularity" under Federal Rule of Civil Procedure 9(b)).

Cartessa's unclean hands defense encompasses three component parts: Edge allegedly acted with unclean hands by (1) "trying to create a public appearance that additional art had been considered by the USPTO when in fact it had not, by repeatedly filing letters referencing other applications and other prosecutions, where the examiner does not in fact review the documents referred to by reference;" (2) creating "mass patent assertions, . . . large draft pleadings, and . . . short windows in which to conduct a reasoned analysis . . . to shift the cost of legal analysis to the Defendant over the perfunctory analysis performed by Plaintiff, and to overwhelm Cartessa and

obscure the weakness and falsity of the individual allegation;" and (3) asserting positions in prosecution and litigation that "are inconsistent with [the] meanings of terms as expressed within the patent specification, inconsistent with their plain and ordinary meaning, and inconsistent with the meaning as understood by an ordinarily skilled artisan." DE 29 at 10, 13, 14 ("Second Amended Answer").

Plaintiff claims that given the Patent Office's role, Cartessa's defense is actually an "inequitable conduct" defense in disguise "that must comply with the Federal Circuit's heightened pleading standard." DE 32-1 at 12. The Federal Circuit has cautioned against "the potential for misuse" of the unclean hands doctrine, and the need to "ensure that [it] operates in harmony with, and does not override" inequitable conduct.

Id. at 16 (quoting *Gilead**, 888 F.3d** at 1240 at n.3).*

But in *Gilead** the Federal Circuit affirmed a district court's finding that business and litigation misconduct other than fraud could establish a defense of unclean hands. *Id.** Cartessa disavows any claim of inequitable conduct, and explicitly disclaims any notion that Edge committed fraud on the USPTO. DE 32-2 at 12. Instead, defendant characterizes its defense as encompassing a pattern of aggressive and deceptive acts. *Id.** at 9.

On this motion, Edge has not established that the defense will fail, nor has it shown any material prejudice it will suffer as a result of its inclusion. On balance, drawing all reasonable inferences in favor of the non-movant, the Court finds the defense is sufficiently pled at this juncture.

Conclusion

Based on the foregoing, the Court declines to construe the terms "abrade" and "sharp" and

³ The cases relied upon by plaintiff, DE 32-4 at 12, are not factually analogous to the position asserted here. Those cases all involved duplicative pleadings, which were struck in part on that ground. *See Saye v. Old Hill Partners, Inc.*, 478 F.Supp.2d 248, 278 (D. Conn. 2007); *Fonsell v. New York Dock Ry.*, 198 F. Supp. 332, 337 (E.D.N.Y. 1961); *Haggerty v. Burkey Mills, Inc.*, 211 F. Supp. 835, 837 (E.D.N.Y. 1962). No such allegation is made here.

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instead assigns them their plain and ordinary meanings and adopts the agreed upon construction

of "sharp edge configured to abrade skin." The Court further DENIES the motion to strike

defendant's affirmative defense of unclean hands.

SO ORDERED.

Dated: November 29, 2021

Central Islip, New York

/s/ Gary R. Brown

GARY R. BROWN

UNITED STATES DISTRICT JUDGE

EXHIBIT J

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Parker K series solenoid valve



Parker Z series solenoid valve



Parker G series solenoid valve